

CRL OP NO. 1091 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1091 of 2025

M.V. Mahesh Balan

S/o. Venkatesan Pulavanur, Panruti, Cuddalore District.

Petitioner(s)

Vs

The State Rep by, The Station House Officer,

Panruti Police Station, Cuddalore District Crime.No. 659/2024.

Respondent(s)

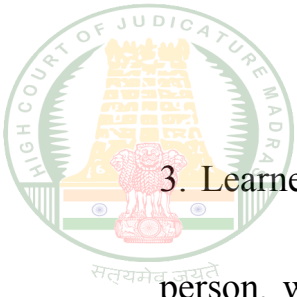
For Petitioner(s): Mr. Rajagopalan N R

For Respondent(s): Mr.S.Santhosh, Government Advocate (criminal Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 336(4), 337, 351(4) of the Bharatiya Nyaya Sanhita, (B.N.S), 2023, in Crime No.659 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the accused fabricated the “e-courts” status and sent a communication to his close relative stating that the de-facto complainant would be convicted in a cheating case. Hence, this case.



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3. Learned counsel for the petitioner submits that the petitioner is an innocent person, who has been falsely implicated in this case. Further, he submits that based on a complaint filed by the petitioner a case in C.C.No.52 of 2018 is pending before the learned Judicial Magistrate No.1, Panruti. The de-facto complainant, who is an accused in that case, pressured the petitioner to withdraw the case. Since the petitioner did not succumb to the demand, the de-facto complainant had given a false complaint against the petitioner. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays that anticipatory bail be granted to the petitioner .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner . He stated that due to previous enmity between the de-facto complainant, the petitioner, the petitioner sent a false message to his close relative stating that the de-facto complainant would be arrested for cheating and forged documents, loan transactions and also manipulated a Court order copy according to his wishes.



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5. Having heard the learned counsel for the petitioner and the learned

Government Advocate (Crl. Side) appearing for the respondent Police and

perused the materials available on record, this Court is inclined to grant

anticipatory bail to the second petitioner with certain conditions, and as far as

the first petitioner is concerned, she has been arrested and remains in judicial

custody, hence the case against her has become infructuous and accordingly, the

second petitioner is ordered to be released on bail in the event of arrest or on his

appearance within a period of fifteen days from the date of receipt of a copy of

this order, before **the learned Judicial Magistrate No.1, Panruti**, on condition

that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees**

Ten Thousand only), with two sureties each for a like sum to the satisfaction of

the respondent Police or the Police officer who intends to arrest or to the

satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



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their identity;

[c] the petitioner shall report before the respondent Police on everyday at 06:30 P.M., for a period of two weeks and thereafter, every Saturday at 10:30 A.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

[e] the petitioner shall not abscond either during the investigation or during the trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

21-01-2025

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To

1. The State Rep by, The Station House Officer,
Panruti Police Station,
Cuddalore District (Crime.No. 659/2024.)



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A.D. JAGADISH CHANDIRA, J.

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