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CRL OP NO. 2465 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.02.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2465 of 2025

Balaji

Vs

petitioner/A2

The State Rep by, The Inspector of Police,
District Crime Branch,
Tiruvanamalai District- 606 601.
(Crime. No. 18 of 2024)

Respondent(s)

For petitioner (s): Mr.Shanthanu U

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No. 18 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused was running a chit fund; that the first accused had received a sum of Rs.2,40,000/- from 17 persons, including the de facto complainant on the promise of high



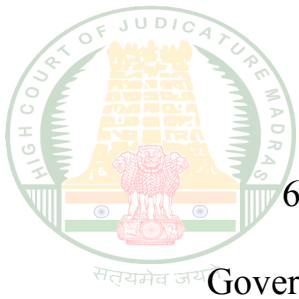
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returns; that the third accused/petitioner is the wife of the first accused, who had received a sum of Rs.10,00,000/- in cash; that the second and fourth accused are the brother and father of the first accused respectively, had signed a promissory note and that the accused A2 to A4 guaranteed the return of money by A1; and that when the victims demanded their money, the accused threatened them. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the allegations against the petitioner is false and in any case custodial interrogation of the petitioner is not required for the purpose of investigation and hence, sought for grant of anticipatory bail.

4. The learned counsel for the de facto complainant however, submitted that a sum of Rs.10,00,000/- was paid in cash and would further concede that there is no document to substantiate the same.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that this is case of chit fund transaction and that investigation is pending.



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6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

7. Considering the fact that the primary allegation is against the first accused; that he was arrested and released on bail; the nature of allegations against the petitioner; that the allegations are borne out by records and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate-1, Tiruvanamalai** on condition that the petitioner shall execute a 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police on all working days at 10:30 a.m., until further orders;

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



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[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 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]**;

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

25.02.2025

vca

To
The Inspector of Police,
District Crime Branch,
Tiruvanamalai District- 606 601.
(Crime. No. 18 of 2024)

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