



CRL OP NO. 1098 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1098 of 2025

1. Prakash,
S/o.Subramanian
2. Karpagavalli,
W/o. Prakash
3. P.K.S. Sadaippan,
S/o. Kandasamy

Petitioner(s)

Vs

The Inspector Of Police,
Central Crime Branch, Tiruppur City, Tiruppur.
(Crime 1/2025)

Respondent(s)

For Petitioner(s): M/s. R Pavithra

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 354, 354-A of the Indian Penal Code, (IPC) 1860, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.1 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the partner of the first petitioner. They had entered into a partnership agreement to run a petrol bunk, for which, the de-facto complainant contributed a sum of Rs.1,30,000/-. The first petitioner's brother is working as the Manager, and his



allegedly misappropriated a sum of Rs.25 Lakhs from the petrol bunk in conspiracy with the petitioners. When the de-facto complainant enquired about this, the petitioners allegedly threatened to harm the de-facto complainant.

Hence, this case.

3. Learned counsel for the petitioner submits that this is merely a civil dispute between the petitioners and the de-facto complainant, but the latter has given it a criminal colour due to a previous enmity. There is no previous cases pending against the petitioners. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. He states that the de-facto complainant is the partner of the petrol bunk. The petitioners, along with their relatives did not share the profits of the petrol bunk for a sum of Rs.25 Lakhs and thereby cheated the de-facto complainant. Further, he states that the first petitioner has also misbehaved with the de-facto complainant. There are no previous cases pending against them.

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

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



materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate No.2, Tiruppur**, 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 petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] **the second petitioner shall report before the respondent Police on everyday at 10:30 A.M., for a period of one week and thereafter every Saturday at 10:30 A.M., until further orders; the first and third petitioner shall report before the respondent Police every day at 10:30 A.M., for a period of two weeks and thereafter, every Saturday at 10:30 A.M., until further orders;**

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



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 petitioners in accordance with law as if the conditions have been imposed and the petitioners were 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

22-01-2025

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To
1. The Inspector Of Police
Central Crime Branch
Tiruppur City, Tiruppur. Crime 1/2025



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