



Crl.O.P.No.1818 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.1818 of 2025

Rajasekar @ Raju

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Annamalainagar Police Station,
Cuddalore District.
(Crime No.1 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.1 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Kasirajan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 01.01.2025, seeking bail in Crime No.01 of 2025 registered for the offence under Sections 318(4) and 351(3) of BNS.



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2. The case of the prosecution is that the accused posed himself as the grandson of Ariyalur Kalasam and told the defacto complainant that he has two kalasams each priced about Rs.5,00,000/- and asked the defacto complainant to pay a sum of Rs.10,000/- as advance and thereby the defacto complainant paid the sum of Rs.10,000/- to the petitioner, however, the defacto complainant neither repaid the money nor sold the kalasam to the defacto complainant.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 01.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that no indulgence should be shown to the petitioner.



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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegation against the petitioner, period of incarceration, there is no previous case against the petitioner and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Cuddalore**, and on further conditions that:

[a] 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;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further



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orders;

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

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

03.02.2025

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To

1. Principal District and Sessions Judge, Cuddalore District.
2. The Inspector of Police,
Annamalainagar Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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