



Crl.O.P.No.1796 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.1796 of 2025

1. S. Manickam Sadhasivam @ Manickam
2. Priya @ Selva Priya

petitioners(s)

Vs

State Rep By its,
The Inspector of Police,
T-7, Tank Factory Police Station,
Chennai District. (Crime No.445 of 2024)

Respondent(s)

For petitioners(s): M/s. Pandi Meena

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 of the Indian Penal Code, (IPC) 1860, in Crime No.445 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners granted a dealership for electric two-wheelers to the de-facto complainant and supplied defective vehicles, thereby cheated the de-facto complainant to the tune of Rs.8 Lakhs. Hence, this case.

3. Learned counsel for the petitioners submits that this is a case of business transaction that has been mis-characterized as cheating. The first



petitioner is one of the director of the electric two wheelers and they gave a dealership to the de-facto complainant. As per their contractual agreement, they delivered imported vehicles to the de-facto complainant. However, the de-facto complainant later refused to accept the vehicles and had given a false complaint. There are no previous cases pending against these 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 petitioners. He stated that the de-facto complainant and petitioners entered a contractual agreement for supplying electric two-wheelers. However, the petitioners delivered defective vehicles and thereby cheating the de-facto complainant for a sum of Rs.8 Lakhs. The petitioners have one similar case pending and the investigation is ongoing.

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 at Ambattur, on condition that the petitioners 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 petitioners shall report before the respondent Police on everyday 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;

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

[f] On breach of any of the aforesaid conditions, the learned



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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.

29-01-2025

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To

1.State Rep By its,
The Inspector of Police,
T-7, Tank Factory Police Station,
Chennai District. (Crime No.445 of 2024)



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A.D. JAGADISH CHANDIRA, J.

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