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Crl.O.P.No.2135 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. 2135 of 2025

K Karthikeyan
S/o. Karuppan, No 1504 , School Road , S/o.
Karuppan, Tharun Flats , Opposite To Gate
No.2, Vellamal School, , T S Krishna Nagar,
Mugaperu East, Chennai 600037

Petitioner(s)

Vs

State Rep By
The Inspector of Police, Chengalpattu Taluk
Police Station, Chengalpattu. (Crime No. 810 of
2024)

Respondent(s)

For Petitioner(s): Rajkumar S

For Respondent(s): Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4) and 204 of BNS in Crime No.810 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution as per the defacto complainant is that, one Elanchezhian/ A1 got acquaintance with the defacto complainant through his friend one Sivakumar and A1 induced the defacto complainant, as if he knows various Police Officials and District Collectors, thereby, he could resolve the family matrimonial dispute, which is pending before the Social Welfare Department, Chengalpattu and received a sum of Rs.1,50,000/- through bank transactions on various dates and subsequently cheated the defacto complainant. Thereafter, the said Elanchezhian has been arrested and remanded to judicial custody, based on the complaint given by the defacto complainant and upon investigation and CDR details of the said Elanchezhian, the petitioner herein, who is a lawyer by profession has also been arrayed as an accused in the present case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner is one among such persons, whom the said Elanchezhian was in contact, apart from that, the petitioner had never committed any offence as alleged by the prosecution and he



cannot be held responsible for the act of the main accused. He also submitted that the co-accused was already released on bail by this Court vide order dated 21.12.2024 in Crl.O.P.No.32196 of 2024. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that the main accused/ Elanchezhian had cheated the defacto complainant to a sum of Rs.1,50,000/-, on the guise of settling the matrimonial dispute of the defacto complainant's relative, as if he knows the higher Police Officials and District Collectors. He further submitted that the petitioner herein is an advocate by profession, who was in frequent contact with the main accused and based on the CDR details of the main accused, the petitioner also arrayed as an accused in this case.

5. 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.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side and the fact that the co-accused was already released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the 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 on which the order copy made ready, before **the learned Judicial Magistrate No.II, Chengalpattu** on condition that the petitioner shall execute a 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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



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or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of one week and thereafter every Saturday at 10:30 a.m., until further orders.

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

[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 B.N.S.

29.01.2025



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A.D.JAGADISH CHANDIRA, J.

stn

To

1. State Rep By
The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu.
(Crime No. 810 of 2024)

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