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Crl.O.P.No.2971 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2971 of 2025

L Abdhullah
S/o Leppai Kadhar, No.3/40, vallal sithakathi
nagar R.S.madai post Achadipirampu
Ramanathapuram District

Petitioner(s)

Vs

State by The Inspector of Police
CBCID South Police Station Coimbatore
(Cr.No.1 /2024)

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on
anticipatory bail in the event of his arrest by the respondent police
concerned in Crime No.1 of 2024, on the file of the respondent police.

For Petitioner(s): Mr. Pugalenthir Pandiyan

For Respondent(s): Public Prosecutor



ORDER

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2. The case of the prosecution is that, the accused persons/ A1 and A2 received a sum of Rs.3,00,000/- from the defacto complainant and sent him for a job abroad; that the defacto complainant's original passport was taken by the overseas company; that the defacto complainant was asked to do an illegal scam job; that the defacto complainant hence sought for return of his passport from the company; that since it was denied and not returned, the defacto complainant contacted the petitioner, who in turn demanded a sum of Rs.1,50,000/- to retrieve his passport; that unable to pay the said sum, the defacto complainant with the help of the embassy return back to India and lodged this complaint against the petitioner and other accused.

3. Learned counsel appearing for the petitioner would submit



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that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that there is no specific allegation against the petitioner herein in the FIR in demanding of the alleged money from the defacto complainant; and 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, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the petitioner along with other accused had demanded a sum of Rs.1,50,000/- from the defacto complainant to retrieve his passport from a company in abroad, where the defacto complainant was asked to do illegal scam work; and that the investigation is pending, hence opposed for the grant of anticipatory bail to the petitioner.

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.

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6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side and since, custodial interrogation is not required for the purpose of investigation, 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 Chief Judicial Magistrate Court, Coimbatore** 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



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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 on every Monday and Thursday at 10:30 a.m., until further orders.

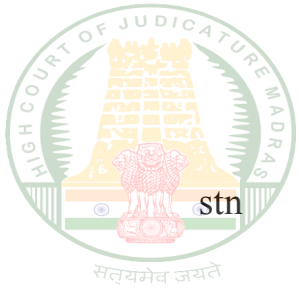
[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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.

12.02.2025



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SUNDER MOHAN, J.

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To

1. State by The Inspector of Police
CBCID South Police Station Coimbatore
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