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Crl OP No.4155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4155 of 2025

Ilamurugu

... Petitioner

Versus

State rep by
Inspector of Police,
Acharapakkam Police Station,
Chengalpattu District.
Crime No.322 of 2024.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.322 of 2024 on the file of the respondent police.

For petitioner : Mr.D.Bennington

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.322 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner had obtained Rs.3,50,000/-from the defacto complainant on the promise of getting a job for the defacto complainant as Junior Assistant in Transport Department.

3. Learned counsel appearing for the petitioner would submit that the allegations are false and in any case, the custodial interrogation of the petitioner is not required that the petitioner was in custody in another case and he was released on bail on 21.01.2024 and the respondent chose not to arrest the petitioner. Hence, he prays for grant of 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 had cheated the defacto complainant for a sum of Rs.3,50,000/-.

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

6. Considering the nature of allegations, the aforesaid submissions and since the custodial interrogation of the petitioner is not



required, this Court is inclined to grant anticipatory bail to the petitioner.

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7. Accordingly, 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 is made ready, before the ***Judicial Magistrate No.II, Madhuranthagam***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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



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and the Petitioner is 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

18.02.2025

Vv

To

1. The Judicial Magistrate No.II,
Madhuranthagam
2. The Inspector of Police,
Acharapakkam Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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