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CRL OP NO. 3871 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3871 of 2025

Karthik @ Karthikeyan

Petitioner/A4

Vs

The State Rep.By,

The Inspector Of Police

T-9, Maraimalainagar Police Station

Tambarama District

Crime No. 583 of 2022.

Respondent(s)

For Petitioner(s): Ms.D.Jeevitha

For Respondent(s): Mr.S.Santhosh

Government Advocate, Criminal Side.

ORDER

Apprehending arrest in connection with Crime No.580 of 2022 registered for the offences punishable under Sections 294(b), 420, 506(ii) r/w Sec.34 of IPC, the present petition has been filed seeking anticipatory bail.



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2. The case of the prosecution is that the petitioner with others introduced themselves to the de-facto complainant and represented that they were running a Company by the named Sukra Concrete Private Limited; that they requested the de-facto complainant to supply materials; that the de-facto complainant had supplied construction materials to the tune of Rs.26,00,000/- to the accused; and that the accused did not make payment for the said materials. Hence, the case.

3. The learned Counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the case of commercial transactions between the petitioner and the de-facto complainant; that the co-accused have been granted bail by this Court; that custodial interrogation is not required in this case.

4.The learned Government Advocate [Criminal Side] appearing for the respondent police while opposing for grant of anticipatory bail reiterated the prosecution case.



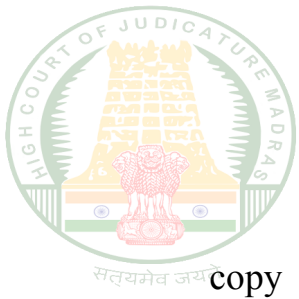
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5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side, that it is a money dispute, the fact that co-accused have been granted bail by this Court and since custodial interrogation is not required in the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Having heard the learned counsel for the petitioner 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 petitioner with certain conditions and accordingly, he 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 of receipt of a



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copy of this order, before the learned **Judicial Magistrate No.II, Chengalpattu**, on condition that the petitioner shall execute a 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 petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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 or Bank pass Book to ensure their identity;

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

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

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



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[f] 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];

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

17.02.2025

MSM



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SUNDER MOHAN, J

MSM

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