



CrI.O.P.No.3869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.02.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K. ILANTHIRAIYAN

CRL O.P. No.3869 of 2025

Praveen Yadhav,

...Petitioner

Vs

The State Rep by, the Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District
(Crime No.479/2022)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail in Crime No.479 of 202, on the file of the respondent Police.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr. A.Gopinath

Government Advocate [Criminal side]

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.01.2025, seeking bail in Crime No.479 of 2022 registered for the offence under Sections 406, 409, 420 and 506(2) of IPC @ 406, 409 and 420 of IPC.

2.The case of the prosecution is that the petitioner alongwith other accused had purchased spare parts from the defacto complainant to the tune of Rs.1,79,68,133/- and that they had paid only Rs.1,17,80,480/- and failed to pay the balance amount of Rs.61,87,653/- and when the defacto complainant approached the petitioner, the petitioner had not only refused to make payment but also threatened him with dire consequences.



3.Learned counsel appearing for the Petitioner submitted that the Petitioner is an innocent person and he has been falsely implicated in this case.

He also submitted that the petitioner had continuous business transaction with the defacto complainant and that the petitioner has paid the cost of the goods and in any case considering the nature of allegations, custodial interrogation of the petitioner is not required. He also submitted that the Petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that the co-accused was already granted anticipatory bail by this Court in Crl.OP.No.2207 of 2025 dated 07.02.2025.

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

6.Considering the nature of allegations, period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the Petitioner with certain conditions.

7. Accordingly, the Petitioner is ordered to be released on bail on his



CrI.O.P.No.3869 of 2025

executing 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 learned Judicial Magistrate II, Mayiladuthurai, and on further conditions that:

[a] 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;

[b] the Petitioner shall report before the respondent Police, everyday at 10.30 a.m., and 06.30 p.m., for a period of 15 days, and thereafter as and when required;

[d] the Petitioner shall not abscond either during investigation or trial;

[e] the Petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 B.N.S.

14.02.2025

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WEB COPY

To

1.The Judicial Magistrate II,
Mayiladuthurai

2.The Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District

3.The Superintendent
Central Prison, Trichy.

4.The Public Prosecutor
High Court, Chennai.



CrI.O.P.No.3869 of 2025

G.K. ILANTHIRAIYAN, J.

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CRL O.P. No.3869 of 2025

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