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Crl.O.P.No.6528 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.6528 of 2025

Saranraj, A/38 years,
S/o. Ramamoorthy

....Petitioner/Accused-2

Vs

The Sub-Inspector of Police,
MGR Nagar Police Station,
Chennai District
in Crime No.490 of 2024

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.490 of 2024**, on the file of the
respondent police.

For Petitioner : Mr. S. Saravanakumar

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



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 384 and 506(1) of IPC, in Crime No.490 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. This is the second anticipatory bail application before this Court. The earlier bail application in Crl.O.P. No.1104 of 2025 was dismissed as withdrawn on 22.01.2025 by Hon'ble Mr. Justice A.D.Jagadish Chandira, and this bail petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P. No.31787/2024 on 04.03.2025.

3. The case of the prosecution is that the petitioner along with the other accused persons threatened the defacto complainant and took Rs.50,000/- in cash and further coerced the defacto complainant to transfer a sum of Rs.50,000/- to one of the accused persons. Hence the case.



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4. The learned counsel appearing for the petitioner would submit that the petitioner has not been named in the FIR; that the co-accused was arrested and released on bail and that even though the earlier bail petition was dismissed on 22.01.2025, the respondent have not chosen to arrest the petitioner so far. Considering the nature of allegation and since it is almost two months since the earlier anticipatory bail petition was dismissed, the learned counsel for the petitioner sought for anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that though the name of the petitioner was not mentioned in the FIR, it is stated in the FIR that the named person along with unknown persons had committed the offence and that the petitioner is one among them and therefore, opposed to grant anticipatory bail to the petitioner.

6. Admittedly the name of the petitioner is not found in the FIR. The co-accused and the main accused were arrested and released on bail. Though the earlier anticipatory bail petition was dismissed on 22.01.2025,



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the respondent had not arrested the petitioner so far. Considering the aforesaid facts, the fact that no amount was transferred to the petitioner and the stage 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 Metropolitan Magistrate XXIII, Saidapet, Chennai-15**, 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 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 or Bank pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent police everyday 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

24.03.2025

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SUNDER MOHAN, J.

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To

1. The Metropolitan Magistrate XXIII, Saidapet, Chennai-15.
2. The Sub-Inspector of Police,
MGR Nagar Police Station,
Chennai District
in Crime No.490 of 2024
3. The Public Prosecutor, High Court, Madras.

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24.03.2025