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CrI OP No.3788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.3788 of 2025

B.Elangovan

... Petitioner

Versus

State rep.by
Sub Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
Tamilnadu-614 713.
(Cr.No.68 of 2025

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS , to enlarge the petitioners on anticipatory bail in the event of his arrest in Cr.No.68 of 2025 pending investigation on the file of the respondent police.

For petitioner : Mr.R.Kishan
For Respondent : Mr.S.Santhosh
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC/316(2) and 318(4) of BNS in Crime No.68 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner is working as a Managing Director in a Company by name the Sri Gomatha Finance Chits Private Limited; that A1 had received huge sums from the defacto complainant and other victims in a chit fund scheme in the name of the company and failed to return the same and that the total amount cheated is Rs.2,65,675/- .

3. Learned counsel appearing for the petitioner submitted that the petitioner is not aware of the alleged fraud committed by A1 and in any case the custodial interrogation of the petitioner is not required. He would further submitted that to show his bonafide, he is willing to deposit a sum of Rs.1,00,000/- to the credit of Cr.No.68 of 2025.

4. Learned Government Advocate (CrI. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the petitioner is A2; that A1 was arrested and still in custody.

5. Considering the voluntary submission made by the learned counsel for the petitioner and the learned Government Advocate and considering the nature of allegations, the submissions made by learned counsel for the petitioner and and the fact that the petitioner has no bad antecedents, this court is of the view that the custodial interrogation of



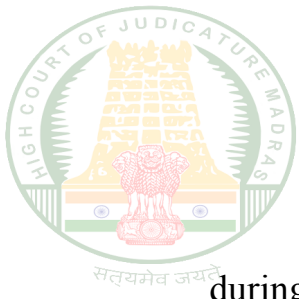
the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 is made ready, before the ***learned Judicial Magistrate Court, Thiruthuraipoondi*** 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 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.

[b] the petitioner shall deposit a sum of 1,00,000/- to the credit of Cr.No.68 of 2025;

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



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[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.

[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 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]**;

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

24.02.2025

Vv

To

1. The Judicial Magistrate Court, Thiruthuraipoondi
2. The Sub Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
Tamilnadu-614 713.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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