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Crl OP Nos.4114 and 4148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.4114 and 4148 of 2025

Kumaran Lakshmanan

... Petitioner
(in Crl.OP.No.4114 of 2025)

Sankar Venkat

... Petitioner
(in Crl.OP.No.4148 of 2025)

Versus

State of Tamilnadu
Represented by
The Inspector of Police,
Tiruppur North Police Station,
Crime Branch, Tiruppur.
Crime No.1115 of 2015.

... Respondent
(in both Crl.OPs')

Common Prayer: Criminal Original Petitions filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Cr.No.1115 of 2015 pending investigation on the file of the respondent police.

Crl.O.P.Nos.4114 and 4148 of 2025

For petitioners : Mr.Thriyambak Kannan

For Respondent : Mr.S.Santhosh,

Government Advocate (Crl.Side)



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COMMONN O R D E R

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417 and 419 and 420 of IPC in Crime No.1115 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners are working in a company by name BSI who were involved in audit to assess whether BSI Certification can be given to those companies; that the allegation of the defacto complainant is that his signature was forged in the audit reports. Hence, the case.

3. Learned counsel appearing for the petitioners would submit that the complaint was lodged in the year 2015 and then they are not aware of the FIR against them; that since the FIR was not uploaded, they could not appear for enquiry, though they had received 41A notice sent by the respondents; and that they would co-operate with the investigation and in any case submitted that the custodial interrogation of the petitioners is not required and sought for anticipatory bail.



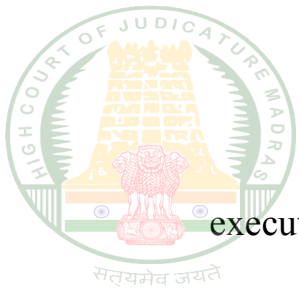
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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the case was registered in the year 2015 and the petitioners did not appear inspite of the 41A notice. Hence, he vehemently opposed to grant of anticipatory bail to the petitioners.

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

6. Considering the fact that the FIR is of the year 2015 and the case is borne out by records, this Court is of the view that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate-I, Tiruppur** on condition that each of the petitioners shall



execute separate bonds 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 petitioners shall report before the respondent police station on every Monday and Saturday at 10.30 a.m., until further orders.

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

[c] the petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners are 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];**



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18.02.2025

Vv

To

1. The Judicial Magistrate-I, Tiruppur
2. The Inspector of Police,
Tiruppur North Police Station,
Crime Branch, Tiruppur.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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