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CRL OP NO. 4396 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4396 of 2025

Rajesh
S/o.Gothandaraman, No. 60/30, 28th Cross
Street, Indhira Nagar, Adayar, Chennai-600
020.

Petitioner(s) /A2

Vs

The State rep by, The Inspector of Police,
District Crime Branch, Villupuram Villupuram
District. Cr.No. 10 of 2017.

Respondent(s)

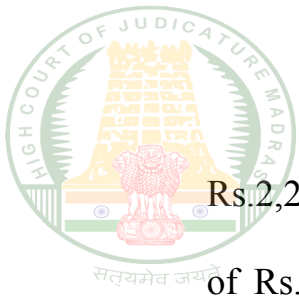
For petitioner (s): Mr.Ranjith Kumar J

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420 and 506 (ii) of IPC,in ,Crime No. 10 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant had supplied milk products to the petitioner and other accused to a tune of



Rs.2,29,62,653/-; that the petitioner and other accused had paid only a sum of Rs.1,38,53,000/- and did not pay the balance sum of Rs.91,16,653/-;

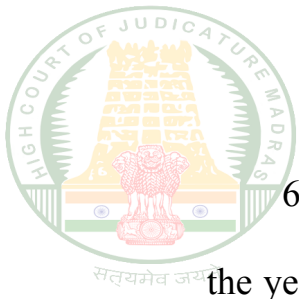
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that when the de facto complainant questioned about the same, a quarrel arose between the parties and that the petitioner and other accused abused the de facto complainant in filthy language and threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the FIR is of the year 2017; that thereafter, the parties had entered into compromise and in any case custodial interrogation of the petitioner is not required and hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the case has been transferred to DCB Kallakurichi and that investigation is still pending.

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



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6. Considering the submissions made on either side; that the FIR is of the year 2017; that the dispute is commercial in nature and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 of receipt of a copy of this order, before the **Judicial Magistrate No. II, Kallakurichi** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the DCB Kallakurichi as and when required;

[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];**



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SUNDER MOHAN, J.

vca

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

19.02.2025

vca

To,
The State rep by, The Inspector of Police,
District Crime Branch, Villupuram Villupuram
District. Cr.No. 10 of 2017.

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