



CRL O.P. No.4752 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 26.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.4752 of 2025

R.Duraisamy

... Petitioner / Accused

Vs

State represented by,
The Station House Officer,
Dhanvantri Nagar (D'Nagar) Police Station,
Puducherry.
(Crime No. 21 of 2025)

....Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused, in Crime No.21 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Suresh Babu

For Respondent : Mr.K.S.Mohandass,
Public Prosecutor, Puducherry



WEB COPY



CRL O.P. No.4752 of 2025

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Section 420 of Indian Penal Code, 1860, in connection with the case in Crime No.21 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had availed an old age pension scheme from the Government of Pondicherry, by suppressing the fact that he is a resident of Cuddalore, Tamil Nadu and thus wrongfully gained a sum of Rs.1,40,700/-.

3. The learned counsel for the petitioner would submit that the petitioner is a permanent resident of Pondicherry and only due to old age and sickness, he was residing at Cuddalore; therefore the allegations are false; that in any case, the allegations are borne out by records; and that the custodial interrogation of the petitioner is not required, especially considering the age of the petitioner, who is 78 years and prayed for Anticipatory Bail.



CRL O.P. No.4752 of 2025

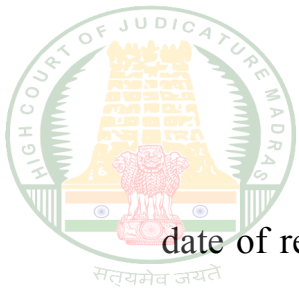
WEB COPY

4. The learned Public Prosecutor, (Puduchery) reiterated the prosecution case and submitted that the petitioner has willfully cheated the Government of Pondicherry; that he possessed are two ration cards and Aadhar cards, one to show that he is the resident of Pondicherry and another to show that he is the resident of Tamil Nadu and hence, opposed the petitioner.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor, (Puducherry) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the age of the petitioner and that the allegations are borne out by records, and since custodial interrogation of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant anticipatory bail to the petitioner on 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



CRL O.P. No.4752 of 2025

date of receipt of a copy of this order, before the learned **Judicial Magistrate**

WEB COPY

-I, Puducherry, 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 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.

[c] **the petitioner shall report before the respondent police as and when required for interrogation.**

[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



CRL O.P. No.4752 of 2025

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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

26.02.2025

drl

To

- 1.The Judicial Magistrate-I, Puducherry.
2. The Public Prosecutor, High Court, Madras.
3. Station House Officer,
Dhanvantri Nagar (D'Nagar) Police Station,
Puducherry.



WEB COPY



CRL O.P. No.4752 of 2025

SUNDER MOHAN. J.,

drl

CRL O.P. No.4752 of 2025

26.02.2025