



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.4807 of 2023

Jayatheisvaran @ Jagadeeshwaran

... Petitioner

Versus

State rep by its,
The Inspector of Police,
District Crime Branch,
Namakkal District.
(Crime No.21 of 2019)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 438 of Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.21 of 2019 on the file of the respondent police.

For Petitioner : Mr.A.Nagarajan

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 420, 342, 294(b) & 506(i) of IPC, in Crime No.21 of 2019 seeks anticipatory bail.



2.The allegation against the petitioner is that he is the son of A5, and he along with other accused, jointly collected a sum of Rs.1.50 crores from the defacto complainant under the pretext of making him a partner in the Nissan Car dealership business and sharing the profits thereof. Subsequently, the petitioners failed to fulfill the said promise. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the majority of the allegations in the FIR are only against A1 and A2. He further submitted that the only allegation against the petitioner is that he threatened the defacto complainant when he demand back the money. He further submitted that the case against A1 was already quashed by the Hon'ble Apex Court in SLP(Crl.) No.10754 of 2022 dated 21.11.2022. Hence, he opposed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on



record.

6. Considering the submissions made by the learned counsel on either side, and taking into account the nature of the allegations and the fact that the majority of the allegations was attributed against the other accused, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation, therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate Court, Tiruchengode*, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 and on further condition that:

(a) 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;



WEB COPY



(b) the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of one week and thereafter as and when required for interrogation;

(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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.10.2025

drl



WEB COPY

To

1. The Judicial Magistrate Court,
Tiruchengode,
2. The Inspector of Police,
District Crime Branch,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



K.RAJASEKAR, J.

drl

CRL.O.P.No.4807 of 2023

29.10.2025