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CRL OP NO. 5022 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25-02-2025**

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5022 of 2025

- 1.T.Jayaram
- 2.Ashwini Chakkaravarthi
- 3.Priya
- 4.Sathya Chakkaravarthi

petitioners/A1 to A4

Vs

State Rep By, The Inspector Of Police,
Shankar Nagar Police Station,
Pammal, Chennai – 600 075.
(crime No 78 of 2025)

Respondent(s)

For petitioners(s): Mr.Dinesh Babu

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4) of BNS, 2023 in Crime No. 78 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused/first petitioner represented to the de facto complainant that he would secure Central Government job to them; and had received an amount of Rs.17,00,000/-



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from the de facto complainant and a sum of Rs.49,50,000/- from the other victims; that he had issued letters purporting to be the appointment letters for the Central Government job; and that when the victims tried to contact the first accused, he gave evasive replies to the request. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case, that the allegations are not borne out by records; that there is no allegation against the second to the fourth petitioners and that in any case custodial interrogation of the petitioners is not required for the purpose of further investigation and prayed for grant of anticipatory bail.

4. The learned counsel for the de facto complainant vehemently opposed the grant of anticipatory bail to the first petitioner and submitted that the first petitioner had cheated five victims and received a sum of Rs.49,50,000/- and no indulgence should be shown to petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and confirmed the above said facts. He further submitted that a sum of Rs.1,00,000/- was transferred

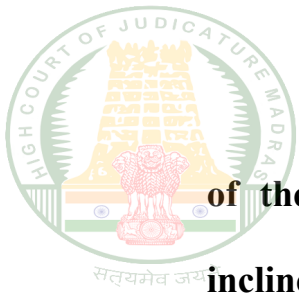


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to the account of the second accused; that no money was transferred to the third accused; that Rs.2,00,000/- was transferred to the fourth accused; and that the first accused had issued forged appointment orders, making it appear that the victims were appointed as Inspectors in the National Investigation Agency.

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

7. It is seen from the prosecution case that the first accused had deceived the victims and had collected a sum of Rs.49,50,000/- from them; that an amount of Rs.46,00,000/- was transferred to his account and that the second to the fourth accused had no contact with the victims; that they are only related to the first accused and that the allegations against them are borne out by records. Thus, this Court is of the view that custodial interrogation of the second to fourth petitioners is not required for the purpose of interrogation. Hence, this Court is inclined to grant anticipatory bail to second to fourth petitioners subject to the following conditions. **As far as the first accused is concerned, considering the nature of allegation against the first petitioner and since custodial interrogation**



of the first accused/first petitioner is required; this Court is not inclined to grant anticipatory bail to the first accused/first petitioner.

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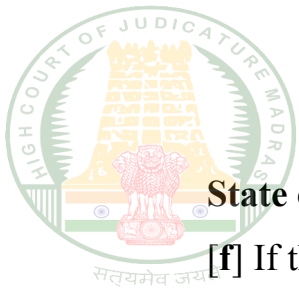
(a) Accordingly, the second to fourth petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **District Munsif cum Judicial Magistrate, pallavaram** on condition that the petitioners 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 second to fourth petitioners shall report before the respondent police every day at 10:30 a.m., until further orders;

[c] the second to fourth petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the second to fourth petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 2-4 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.**



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State of Kerala [(2005)AIR SCW 5560];

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

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SUNDER MOHAN, J.

vca



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To

1. The Inspector Of Police,
Shankar Nagar Police Station,
Pammal, Chennai – 600 075.

(crime No 78 of 2025)

2. The District Munsif cum Judicial Magistrate,
pallavaram

3. The Public Prosecutor
High Court Madras

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