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Crl.O.P.No.6226 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6226 of 2025

Pranali Vijay Kate

... Petitioner/A4

Vs.

State, Rep. by Inspector of Police

Paramathi Police Station,

Namakkal District.

(Crime No.29 of 2024)

... Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest Crime No.29 of 2024, on the file of the respondent Police.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No.29 of 2024, on the file of the respondent police, seeks anticipatory bail.

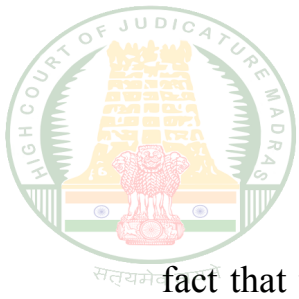


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2. The case of the prosecution is that the petitioner is one of the Directors of the Company by name, 'M/s.Agriallx Ventures Pvt. Ltd., Mumbai'; that the petitioner had falsely represented that the petitioner's company is doing business with Pathanjali foods; that believing their representation, the defacto complainant had placed the order for supply of 500 MT of edible oil; that the defacto complainant had transferred a sum of Rs.25 lakhs; that the petitioner's company had only supplied 396 MT oil and 104 MT of oil were not supplied; and thus, committed the aforesaid offence.

3. The learned counsel appearing for the petitioner would submit that it is a case of commercial dispute; that A1 was arrested and released on bail; that co-accused/A2 similarly placed was granted anticipatory bail on 20.12.2024; and that in any case, custodial interrogation is not required for the purpose of investigation and hence, prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioner.



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5. Considering the nature of allegations against the petitioner, the fact that the dispute is commercial in nature and since the co-accused/A2 who is similarly placed was granted anticipatory bail, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Paramathy**, on condition that the petitioner shall execute a separate 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 condition 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.

[b] the petitioner shall report before the respondent police



as and when required for the purpose of 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].

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

05.03.2025

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CrI.O.P.No.6226 of 20

SUNDER MOHAN, J.

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To
1.The Judicial Magistrate,
Paramathy.

2.The Inspector of Police,
Paramathi Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras.

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