



Crl.OP.No.6430 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6430 of 2025

S.Dinesh Kumar

.. Petitioner/A2

Vs.

The State rep by
The Inspector of Police,
Ranipet Police Station,
Ranipet District.
(Crime No.80/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of their arrest in Crime No.54 of 2025 on the file of the respondent Police.

For Petitioner : Mr.L.Ramanathan

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(1), 127(2), 318(4) & 351(3) of BNS Act, 2023 (294(b), 323, 324, 342, 420, 506 of IPC) in Crime No.54 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant had paid a sum of Rs.8 lakhs to the petitioner/A2 on the promise that he would get a government job to his wife and also admission to his daughter in an engineering course at VIT; and that he had neither returned the money nor obtained a job or college seat as promised. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a driver of one Saravanan @ Velavan [A1]; that even according to the FIR the entire money was paid to the said Saravanan [A1] and he has nothing to do with the alleged offences; that the said Saravanan [A1] was arrested and released on bail; and considering the nature of allegations, prayed for anticipatory bail.

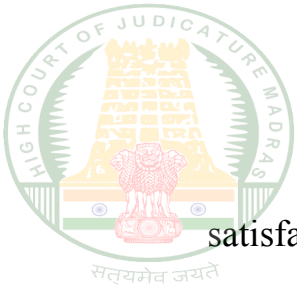
4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirmed the fact that A1 was arrested and released on bail by this Court vide order dated 04.03.2025 in Crl.OP.No.6044 of 2025. The learned Government Advocate also produced the FIR.



WEB COPY 5. A perusal of the FIR would suggest that the defacto complainant himself has admitted in the FIR that A1 had admitted his liability and promised to repay and that he had handed over the cash to the petitioner only at the instance of A1 and that when the defacto complainant demanded money from A1, he had abused him in filthy language.

6. Considering the aforesaid facts, the nature of allegations against the petitioner and the fact that co-accused/A1 has been arrested and released on 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 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 date on which the order copy is made ready, before the **learned District Munsif-cum-Judicial Magistrate, Ranipet, Ranipet District**, 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 condition that:

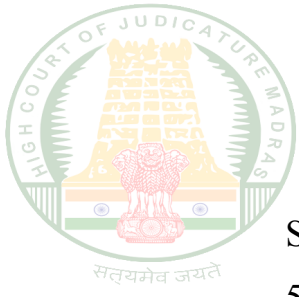
[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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



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Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW
5560].

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

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SUNDER MOHAN, J.

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- 1.The Inspector of Police,
Ranipet Police Station,
Ranipet District.
- 2.The District Munsif-cum-Judicial Magistrate,
Ranipet, Ranipet District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

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