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Crl.O.P.No.7134 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.7134 of 2025

Everiste Albert Firmin
S/o. Jean Pierre

....Petitioner/Accused 3

Vs

The State Rep. by
The Station House Officer,
Mudaliarpur Police Station,
Through the Public Prosecutor
(Crime No.229 of 2024)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No.229 of 2024 on the file of the respondent police.

For Petitioner	: Mr. Satheeshkumar Manimaran
For Respondent	: Mr. M.V. Ramachandra Murthy Additional Public Prosecutor (Puducherry) Assisted by Mr.M. Thamizhmani Advocate (Puducherry)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 506(ii) IPC read with 34 of Indian Penal Code, in Crime No.229 of 2024 (wrongly mentioned as 2025 in the petition), on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the son of the accused 1 and 2; that the accused 1 and 2 were running an unauthorised Chit Scheme in the name and style of 'JP Chit Funds' and collected huge amounts to the tune of Rs.5,14,95,770/- from fourteen victims and thus committed the aforesaid offence. It is the further case of the prosecution that a part of the amount received by the accused 1 and 2 was used for paying the college fee of the petitioner.

3. The learned counsel appearing for the petitioner would submit that the accused 1 and 2 had been arrested and are still in custody; that the petitioner, as per the prosecution case, was a student in a college at the relevant point of time; that he has nothing to do with the alleged transaction



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and that in any case custodial interrogation of the petitioner is not required and sought for grant of anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and confirmed that the accused 1 and 2 are still in custody and that all the amounts were either received in the accounts of the first accused or the second accused and a portion of the amount received was used for payment of college fee of the petitioner.

5. Considering, the nature of allegations against the petitioner, the fact that he was a student at the relevant point of time and who was not involved in the business and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned**



Judicial Magistrate-III, 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 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 once a week 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



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

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To

1. The Judicial Magistrate-III, Puducherry
2. The Station House Officer,
Mudaliarpur Police Station,
Puducherry.
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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