



Crl.OP.No.6711 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6711 of 2025

Ravichandran

.. Petitioner/A2

Vs.

The State rep by
The Inspector of Police,
Central Crime Branch,
Salem City,
Salem District.
(Crime No.39 of 2024)

.. 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 his arrest in Crime No.39 of 2024 on the file of the respondent Police.

For Petitioner : Mr.Camyles Gandhi W

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 Sections 417 and 420 of IPC in Crime No.39 of 2024, seeks anticipatory bail.



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2. It is the case of the prosecution that the first accused who is the wife of the petitioner had represented to the defacto complainant that her husband viz., the petitioner had cardiac issues and she requested money for his treatment and thus, received a total sum of Rs.8 Lakhs on various dates in the year 2023 and did not repay the said amount, that the investigation revealed that the petitioner's wife/first accused had received a sum of Rs.95,45,000/- as loan in the aforesaid manner from nine persons. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is the husband of the first accused and he has medical ailment; that the respondent while arresting the petitioner's wife has not arrested the petitioner considering his medical condition; that the allegation is with regard to repayment of loan and the said transactions were between the first accused/wife of the petitioner and the defacto complainant; and that the first accused was arrested and released on bail, prayed for anticipatory bail.



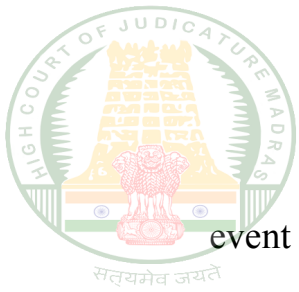
WEB COURT

4. The learned Government Advocate (Crl.Side) while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that apart from the defacto complainant, the first accused had collected amount from other victims and cheated them to the tune of Rs.95,45,000/-; and that the first accused was arrested and released on bail.

5. Admittedly, it is seen from the aforesaid facts that when the petitioner's wife/first accused was arrested, the respondent chose not to arrest the petitioner. The allegation of the defacto complainant and the other victims, is that the petitioner's wife represented to them that the petitioner is sick, needed money for treatment and did not repay the amount.

6. Therefore, considering the aforesaid facts and the nature of allegations against the petitioner, 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



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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 Judicial Magistrate No.II, Salem**, 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:

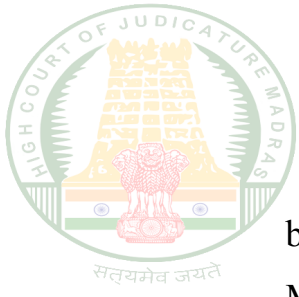
[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, once in a week i.e., on every Monday 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



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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.

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Index : Yes / No
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To

1.The Inspector of Police,
Central Crime Branch,
Salem City, Salem District.

2.The Judicial Magistrate No.II, Salem.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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