



Crl.OP.No.6828 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.6828 of 2025

Ramesh Babu

... Petitioner /Accused

Vs.

The State rep. by

The Inspector of Police,

P4 Basin Bridge Police Station,

Chennai.

... Respondent/ Complainant

Crime No.556 of 2022

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner/ accused on anticipatory bail in the event of arrest in Crime No.556 of 2022 on the file of the Inspector of Police, P4 Basin Bridge Police Station, Chennai.

For petitioner : Mr.G.M.Sudalaimani

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.556 of 2022, on the file of the respondent police, seeks



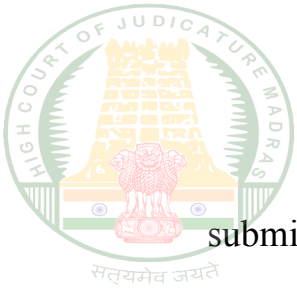
anticipatory bail.

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2. It is the case of the prosecution that the first accused cheated the defacto complainant to the tune of Rs.6,00,000/- by falsely promising a house in the Tamil Nadu Housing Board and also issued a fake allotment order; and that the petitioner is a friend of the first accused and had helped the first accused to prepare a fake allotment order.

3. The learned counsel for the petitioner would submit that the allegations are false; that the first accused was arrested and released on bail; that he had paid Rs.2,00,000/- to the defacto complainant; that the second accused, who is the wife of the first accused, had obtained anticipatory bail in Crl.OP.No.1430 of 2023 dated 24.01.2023, wherein this court directed her to deposit a sum of Rs.2,00,000/- to the credit of Crime No.556 of 2022 before the concerned Magistrate and further permitted the defacto complainant to withdraw the said deposit amount upon proper identification and acknowledgement and sought for anticipatory bail. On instructions he submitted that petitioner is willing to deposit Rs.1,00,000/- to the credit of the crime number without prejudice to his defence.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing for grant of anticipatory bail to the petitioner,

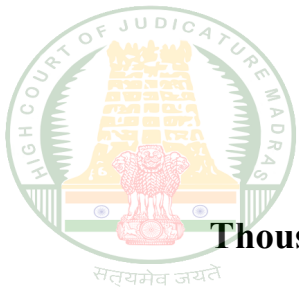


submitted that the petitioner has not only committed cheating along with the other accused, but had also helped the first accused in preparing the forged allotment orders.

5. Admittedly, Rs.2,00,000/- was paid by the first accused to the defacto complainant, and this court had directed the second accused to deposit a sum of Rs.2,00,000/- and permitted the defacto complainant to withdraw the same.

6. Considering the nature of the allegations and the aforesaid facts, and since custodial interrogation is not required for the purpose of investigation, this court is inclined to grant anticipatory bail to the petitioner with 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 made ready, before the learned **X Metropolitan Magistrate, Egmore, Chennai**, 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 is directed to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Crl.No.556 of 2022 before the concerned Magistrate within a period of three weeks from the date of receipt of a copy of this order and shall produce the said receipt before the court below and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount on proper identification and acknowledgement.**

[c] **the petitioner shall report before the respondent police on every Saturday for a period of two weeks and thereafter as and when required for interrogation.**



Crl.OP.No.6828 of 2025

[d] the petitioner shall not tamper with evidence or witness

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[e] the petitioner shall not abscond either during investigation or trial.

[f] 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”* reported in **(2005) AIR SCW 5560**.

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

11.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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CrI.OP.No.6828 of 2025

SUNDER MOHAN, J.

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To

1. The Inspector of Police,
P4 Basin Bridge Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned X-Metropolitan Magistrate Court,
Egmore, Chennai.

CrI.OP.No.6828 of 2025

11.03.2025