



Crl.OP.No.7071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7071 of 2025

Dr.H.Karthikeyan

.. Petitioner/A2

Vs.

The State rep by
The Inspector of Police,
Crime Branch,
H-8, Thiruvottiyur Police Station,
Chennai – 600 019.
(Crime No.538/2022)

.. 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.538 of 2022 on the file of the respondent Police.

For Petitioner : Mr.K.Balaji

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 406, 420 & 506(ii) of IPC in Crime No.538 of 2022, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant had paid a sum of Rs.10 lakhs to the first accused, the petitioner's father on the promise that he would get a job for the defacto complainant's son; that thereafter, he neither returned the money nor obtained a job; and that the petitioner/A2 who is the son of first accused had threatened the defacto complainant of dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner is sought to be roped in, to arm twist his father/the first accused; that his father was arrested and released on bail; and that in any case considering the nature of allegations against the petitioner, custodial interrogation is not required and 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 submitted that the money was received by the first accused and he was arrested and released on bail; and that the allegation against the petitioner is that he threatened the defacto



complainant.

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5. Considering the aforesaid facts, the nature of allegations against the petitioner and the fact that the first accused/father of the petitioner was 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.

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 is made ready, before the **learned Judicial Magistrate, Thiruvottiur**, 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



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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 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.

12.03.2025

Index : Yes / No
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To

1.The Inspector of Police,
Crime Branch,
H-8, Thiruvottiyur Police Station,
Chennai – 600 019.

2.The Judicial Magistrate, Thiruvottiyur.

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



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SUNDER MOHAN, J.

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