



Crl.O.P.No.7927 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7927 of 2025

Ramar

...Petitioner/Sole Accused

Vs.

The State represented by,
The Inspector of Police,
District Crime Branch,
Mayiladuthurai.
(Crime No.5 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on bail, in the event of his arrest or surrender in CC No.122 of 2024 on the file of the respondent police.

For Petitioner : Mr.Praveen Kumar S

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



Crl.O.P.No.7927 of 2025

WEB COPY

ORDER

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences under Sections 406 and 420 of the IPC in Crime No.5 of 2023, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/sole accused had conducted a chit fund scheme “Palsamy Nadar Samuga Nala Peravai” from the year 2009 and had collected Rs.10,000/- (Rupees Ten Thousand only) per month from the *de-facto* complainant as monthly subscription for a period of thirty months; and that he had not repaid the said amount Rs.3,00,000/- (Rupees Three Lakhs only) and thus committed the aforesaid offences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was not arrested during the course of the investigation; that he is seventy-three years old and he is willing to appear before the trial Court on all hearing dates and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent



Crl.O.P.No.7927 of 2025

submitted that the petitioner had cheated several other persons a total sum of Rs. Rs.44,90,000/- and an absconding Final Report has been filed before the learned Judicial Magistrate No. II, Mayiladuthurai, on 29.02.2024, and the case is listed for hearing on 04.04.2025 for the appearance of the petitioner; and that an NBW has been issued against the petitioner.

5. In response, the learned counsel for the petitioner submitted that no summons was issued to the petitioner and he has been erroneously shown as absconding and he was not aware of the listing of the case.

6. Since an NBW is pending, this Court is not inclined to grant anticipatory bail, although the petitioner was not arrested during the investigation and a Final Report has already been filed. However, the petitioner is granted liberty to file a petition to recall the NBW before the learned Magistrate, who may consider the same on merits on the same day and in accordance with the law.

7. With the above directions, this Criminal Original Petition is disposed of.

18.03.2025



CrI.O.P.No.7927 of 2025

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To

1. The Inspector of Police,
District Crime Branch,
Mayiladuthurai.
2. The Public Prosecutor,
High Court of Madras.
3. The Judicial Magistrate – II,
Mayiladuthurai.



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Crl.O.P.No.7927 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.7927 of 2025

18.03.2025