



Crl.OP.No.7537 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.7537 of 2025

V.Elango

.. Petitioner/Accused

Vs.

The State rep by
The Inspector of Police,
Central Crime Branch,
Avadi Police Commissionerate,
Avadi, Chennai – 600 054.
(Crime No.91 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.91 of 2024 on the file of the respondent Police.

For Petitioner : Mr.K.Balasubramaniam

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

ORDER

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 465, 467, 468, 471 and 420 of IPC in Crime No.91 of 2024, seeks anticipatory bail.



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3. The learned counsel for the petitioner would submit that there was a sale agreement between the petitioner and the defacto complainant in the year 2018; that a civil dispute has been given a criminal colour, as a complaint has been lodged for the alleged transaction which took place in the year 2018 and prayed for anticipatory bail.

4. The learned Government Advocate (Crl.Side) while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and fairly submitted that the transaction between the petitioner and defacto complainant took place in the year 2018.

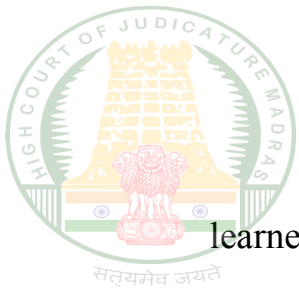


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5. Admittedly, the transaction between the defacto complainant and the petitioner took place in the year 2018. The dispute relates to breach of a contract entered into between the petitioner and the defacto complainant in the year 2018.

6. Therefore, considering the aforesaid facts and nature of the allegations against this 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 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.I, Poonamallee**, 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



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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 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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: Yes / No

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SUNDER MOHAN, J.

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To

1.The Inspector of Police,
Central Crime Branch,
Avadi Police Commissionerate,
Avadi, Chennai – 600 054.

2.The Judicial Magistrate No.I, Poonamallee.

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

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