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CRL O.P. No.8336 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8336 of 2025

K. Sinraj @ Chinnaraj S/o. Krishnan ... Petitioner / Accused-2

Vs

State rep. by:-

The Inspector of Police,
Tambaram Police Station,
Tambaram West, Chennai-45.
[Cr. No.166 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Cr. No.166 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Baskar
For Intervenor: Mr. Radhika Boopathi
For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the offence punishable under Sections 406 and 420



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of IPC in connection with the case in Cr. No.166 of 2024, seeks
anticipatory bail.

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2. The case of the prosecution is that the defacto complainant had paid a sum of Rs.9.5 lakhs to A1 in the year 2018, since he promised to construct a house; that thereafter, the 1st accused had neither returned the money nor constructed a house.

3. The learned counsel for the petitioner would contend that the petitioner has not committed the alleged offences; that no money was transferred to the petitioner; that in any case, custodial interrogation is not required as the allegations only reveal a money dispute and hence prayed for anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor / defacto complainant vehemently opposed the grant of anticipatory bail and submitted that the defacto complainant was cheated by the petitioner a sum of Rs.9.5 lakhs.



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5. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that a sum of Rs.9.5 lakhs was paid by the defacto complainant to the 1st accused in the month of April 2018.

6. Considering the aforesaid facts, nature of allegations, the fact that the alleged transactions took place in the year 2018 and it reveals a breach of promise, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Tambaram** on condition that the petitioner shall



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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 conditions 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 a week i.e., on 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



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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]; and

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

04.04.2025

mjs

To

- 1.The Judicial Magistrate-I, Tambaram.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Tambaram Police Station, Tambaram West, Chennai-45.

SUNDER MOHAN. J.,

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