



Crl.OP.No.8550 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8550 of 2025

1. R.Kanniyappan

2. K.Sandhiya

.. Petitioners/A1 & A2

Vs.

The State rep by

The Inspector of Police,

T-17, Perumbakkam Police Station,

Tambaram City Police.

(Crime No.72 of 2025)

.. Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.72 of 2025 on the file of the respondent Police.

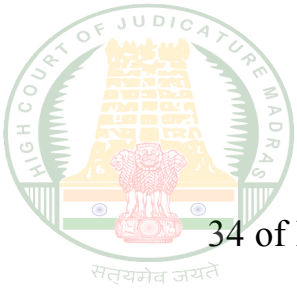
For Petitioner : Mr.M.D.Ilayaraja

For Respondent : Mr.S.Santhosh

Government Advocate(Crl.Side)

ORDER

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 r/w



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34 of IPC in Crime No.72 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners received a sum of Rs.4,49,000/- from the defacto complainant and promised to deliver foreign camera and laptop at a concessional price and thus, committed the aforesaid offences.

3. The learned counsel appearing for the petitioners would submit that that allegations are false; that the camera was delivered to the defacto complainant; that in any case this is a case of money transaction and custodial interrogation is not required for the purpose of investigation and hence, prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirmed the aforesaid facts. He further submitted that the first petitioner has seven previous cases registered for the offences under PPDL Act, 270 IPC, 506 (i) IPC and other similar offences.



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5. Though the first petitioner/A1 has previous cases, they are not similar in nature. Considering the fact that the alleged transactions took place in the year 2023, it relates to non supply of goods after receipt of money and since the allegations are borne out by records, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Alandur**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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 and on further condition that:

[a] the petitioners and the sureties shall affix their



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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 Petitioners shall report before the respondent police twice a week i.e., on Monday and Thursday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

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Index : Yes / No
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SUNDER MOHAN, J.

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To

- 1.The Inspector of Police,
T-17, Perumbakkam Police Station,
Tambaram City Police.
- 2.The Judicial Magistrate No.II, Alandur.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

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