



Crl.OP.No.8662 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8662 of 2025

Ezhilarasi

.. Petitioner/sole accused

Vs.

The State rep by
The Inspector of Police,
Thiruvallur Taluk Police Station,
Thiruvallur District.
(Crime No.91 of 2025)

.. 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 her arrest in Crime No.91 of 2025 on the file of the respondent Police.

For Petitioner : Mr.S.Silambu Selvan

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

For Defacto complainant : Mr.Parasaran P.A.

ORDER

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 and 506(i) of IPC in Crime No.91 of 2025, seeks anticipatory bail.



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2. It is the case of the prosecution that the petitioner was running a chit company and was due to pay a sum of Rs.3 Lakhs to the defacto complainant; that the petitioner had repaid only Rs.50,000/- and not repaid Rs.2,47,000/-; that when the same was demanded, the petitioner abused the defacto complainant with filthy language and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the alleged transaction even according to the defato complainant took place in the year 2019; that the FIR was lodged on 14.03.2025 giving a criminal colour to the civil dispute; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation and sought for anticipatory bail

4. The learned counsel for the defacto complainant, however, vehemently opposed the grant of anticipatory bail and submitted that the defacto complainant has been cheated and a sum of Rs.2,47,000/- is due to the defacto complainant and when demanded money, the petitioner had abused her in filthy language.

5. The learned Government Advocate (Crl.Side) while opposing the



grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirmed the fact that the alleged transactions took place in the year 2019.

6. Considering the aforesaid facts, the nature of the allegations, and the fact that the alleged amount due and payable to the defacto complainant, was in the year 2019, 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 her 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, Thiruvallur**, 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 the purpose of 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.

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Index : Yes / No
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SUNDER MOHAN , J.

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1.The Inspector of Police,
Thiruvallur Taluk Police Station,
Thiruvallur District.

2.The Judicial Magistrate No.I,
Thiruvallur.

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

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