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CRL O.P. No.8861 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8861 of 2025

P. Ravikumar S/o. Palanisamy ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Rathinapuri Police Station,
Coimbatore. ... Respondent
[Cr. No.337 of 2024]

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 Crime No.337 of 2024 on the file of the respondent police.

For Petitioner : Mr. S. Silambanan, Senior Counsel
for Mr. K. Vasanthanayagan

For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER



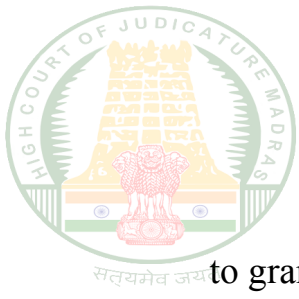
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The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 316(2) and 318(4) of B.N.S. in connection with the case in Crime No.337 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had handed over the Car to the 1st accused on monthly rent and the 1st accused neither paid the rent nor returned the car and committed the aforesaid offences. It is the further case of the prosecution that it was revealed from the confession of A1 that the petitioner had received some cars from the said A1.

3. The learned Senior counsel for the petitioner would contend that the petitioner has nothing to do with the alleged offences; that the petitioner had lent money to the defacto complainant to the tune of Rs.35 lakhs and he has not received any car; and that in any case, he had not cheated either the defacto complainant or the other victims; and that custodial interrogation of the petitioner is not required and hence prayed



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to grant anticipatory bail to the petitioner.

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4. 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 A1 was called for enquiry under Section 41-A and he had appeared and co-operated for enquiry and on his confession, it was revealed that two cars, which were taken by A1, were handed over to the petitioner and that the car of the defacto complainant has been recovered.

5. Considering the nature of allegations, the fact that the A1 has not been arrested and even according to the prosecution, he had deceived the victims and obtained cars from them, the relationship between the petitioner and A1, the fact that the car of the defacto complainant has been recovered and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.



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6. 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-II, Coimbatore** 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 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 everyday at 10.30 a.m., until further orders;



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[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]; and

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

26.03.2025

mjs

To

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1. The Judicial Magistrate-II, Coimbatore.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, Rathinapuri Police Station, Coimbatore.

SUNDER MOHAN. J.,

mjs

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