



Crl.OP.No.9116 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9116 of 2025

Saiyathuibrakim

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Singanallur Police Station,
Coimbatore District.
(Crime No.617 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 arrest in Crime No.617 of 2024 on the file of the respondent Police.

For Petitioner : M/s.Camyles Gandhi W

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 316(2), 318(4) of BNS in
Crime No.617 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the first accused had purchased ghee from the defacto complainant for a value of Rs.3,49,500/- and had given cheques, which were dishonoured; and that the the ghee so purchased was supplied to the fourth accused for a lesser price through the fifth accused; and that the petitioner is the father of the fifth accused.

3. The learned counsel for the petitioner would submit that the petitioner has nothing to do with the alleged transaction; that the petitioner is the father of the fifth accused; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation and prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the defacto complainant and the first accused had a business transaction and the cheques issued by the first accused were dishonoured.

5. Considering the aforesaid facts, the nature of allegations against



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the petitioner, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy is made ready, before the **learned Judicial MagistrateNo.III, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 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;



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[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 BNS.

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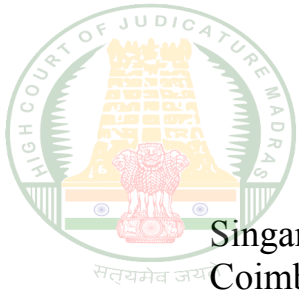
Index : Yes / No

Internet : Yes / No

dpa

To

1.The Inspector of Police,



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Singanallur Police Station,
Coimbatore District.

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2.The learned Judicial Magistrate No.III, Coimbatore.

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

SUNDER MOHAN , J.
dpa



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