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CRL O.P. No.9483 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.9483 of 2025

Sathish Kumar S/o. Kothandam ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Sholinghur Police Station,
Ranipet District. ... Respondent
[Cr. No.318 of 2024]

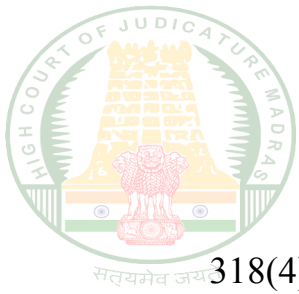
PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Cr. No.318 of 2024 on the file of the respondent police.

For Petitioner : Mr. G.P. Sivakumar

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 318(2),

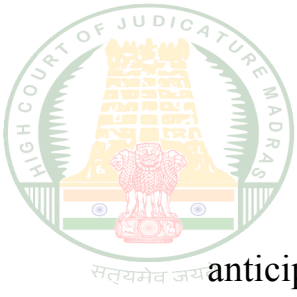


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318(4), 336(2), 336(3), 340(2), 296(b), 351(2) read with 61(2)(a) of B.N.S. in connection with the case in Cr. No.318 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that A1, who is running an E-Seva Centre along with the other accused had induced gullible persons to pay money to him on the false representation that he would get Government job and arrange for old age pensions; that totally 44 victims were cheated in this manner to the tune of Rs.50 crores; that the petitioner had assisted A1 and had introduced certain persons to A1 and earned commission of Rs.3,46,000/-.

3. The learned counsel for the petitioner would contend that the petitioner has nothing to do with the commission of alleged offences; that entire money was transferred to A1, who has been arrested and released on bail; that similarly placed co-accused were also anticipatory bail by this court vide order in Crl. O.P. No.32040 of 2024; and that in any case, custodial interrogation is not required and hence prayed for



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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 the 1st accused was arrested and released on bail by this Court; that one of the co-accused was also granted anticipatory bail as stated by the petitioner.

5. Considering the aforesaid facts, nature of allegations, the fact that the 1st accused was arrested and released on bail, the similarly placed co-accused was granted anticipatory bail 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.

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



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Judicial Magistrate, Sholinghur 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 every day 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.

08.04.2025

mjs

To

- 1.The Judicial Magistrate, Sholinghur.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Sholinghur Police Station, Ranipet District.

SUNDER MOHAN. J.,

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