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Crl.O.P.No.9647 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.9654 of 2025

Thameem Ansari,
S/o. Haniffa.

Petitioner(s)

Vs

State Rep.by,
The Inspector of Police,
T1 - Ambattur Police Station,
Thiruvallur District. (Crime No.166 of 2025)

Respondent(s)

For Petitioner(s): Mr. S. Silambu Selvan

For Respondent(s): 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 Sections 406 and 420 of the Indian Penal Code, in Crime No.166 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on the promise of arranging a huge loan, the petitioner received a sum of Rs.1.75 Lakhs in the year 2022



from the de-facto complainant, and that, the petitioner neither arranged for the loan nor repaid the amount received. Hence, this case.

3. Learned counsel for the petitioner submits that initially the case was closed as 'Mistake of Fact' and thereafter the First Information Report was registered on the direction of the learned magistrate and in any case, custodial interrogation is not required.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioner and submitted that the petitioner cheated a sum of Rs.1.75 Lakhs and thus, committed the aforesaid offence. On instructions, he further submitted that the alleged offence took place in the year 2022.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.



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6. The alleged transactions took place in the year 2022 and the allegations reveal a breach of promise by the petitioner. Considering the aforesaid facts and the nature of allegations, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 made ready, before **the learned Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a separate 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 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;



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[b] the petitioner shall report before the respondent police once in a week viz., on Monday at 10:30 A.M., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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- 1.The Judicial Magistrate, Ambattur.
- 2.The Inspector of Police,
T1 - Ambattur Police Station,
Thiruvallur District. (Crime No.166 of 2025)
- 3.The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN, J.

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