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Crl.O.P.No.9917 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9917 of 2025

B.Sathish

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
(Crime No.52 of 2025)

Respondent(s)

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

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.52 of 2025 on the file of the respondent police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Section 318 of BNS in Crime No.52 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant is a cattle seller, that on the date of the occurrence the petitioner along with other accused persons cheated the defacto complainant to a tune of Rs.1 lakh and 2 ¼ sovereigns of gold ring by selling fake diamond to the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case; that the co-accused have already been granted bail by the Lower Court; and in any case, the custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

4. 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 substantial amount has been recovered from the co-accused; that there is one previous case against the petitioner and he is on bail in that case.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner would deposit a sum of Rs.50,000/-, without prejudice to his defence.



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

7. Considering the nature of allegations; the fact that the petitioner is on bail in previous case; co-accused have been released on bail; the petitioner is willing to deposit an amount of Rs.50,000/-, to the credit of Crime No.52 of 2025, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 No.3, Vellore**, 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:



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[a] the petitioner shall deposit a sum of Rs.50,000/- to the credit of Crime No.52 of 2025 before the learned Judicial Magistrate No.3, Vellore, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit that the withdrawal is subject to the result of the trial with proper identification and acknowledgment;

[b] 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.

[c] the petitioner shall report before the respondent police station daily at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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



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the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala*
[(2005)AIR SCW 5560].

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

drl

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To

1.The Inspector of Police,
Veppankuppam Police Station,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

drl

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