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CRL OP No. 11543 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11543 of 2025

1. Saravanan Alias Sharwanth
Son of Selvasekaran, Proprietor M/s
Simba Associates and M/s
V.Construction, Door NO.46 A, 1st
Floor, Halls Road, Kilpauk, Chennai -
600 010.

Petitioner(s)

Vs

1. State rep by
The Inspector of Police, G-3, Kilpauk
Police station, Chennai District. Crime
NO.203 of 2021

Respondent(s)

PRAYER

To grant an Anticipatory Bail to the petitioner in the event of his arrest in Crime No.203 of 2021 pending investigation on the file of the Respondent Police Station herein and thus render justice.

For Petitioner(s): Mr.R.Dinesh Kumar

For Respondent(s): Public Prosecutor



ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 406, 420 and 506(1) of IPC in Crime No.203 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant paid a total sum of Rs.38 lakhs to the petitioner for supply of cement and steel; that the petitioner supplied goods worth Rs.16 lakhs; that the petitioner failed to deliver the remaining goods or refund the excess sum of Rs.22 lakhs received from the defacto complainant; and that the threatened and intimidated the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; and that in any case, the custodial interrogation of the petitioner is not required and sought 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 confirmed the above said facts and produced the copy of FIR.

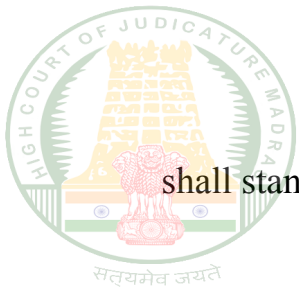


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5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. The FIR reveals that the complaint was lodged in the year 2021. The petitioner has not been arrested so far. The allegations suggests a case of non-supply of goods after receipt of money. The allegations are borne out by records. Hence, the custodial interrogation of the petitioner is not required for the purpose of investigation and this Court is inclined to grant anticipatory bail to the petitioner on 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 II Metropolitan Magistrate Court, Egmore, Chennai 600 008, 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



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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 appear before the respondent police as and when required for interrogation;

[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 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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1.State rep by
The Inspector of Police, G-3, Kilpauk
Police station, Chennai District. Crime
NO.203 of 2021.

2. The II Metropolitan Magistrate
Court,
Egmore, Chennai 600008.
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN J.

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