



Crl.O.P.No.13519 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13519 of 2025

Arunkumar

... Petitioner

Vs.

State rep. by
The Inspector of Police
DCB Police Station
Mayiladuthurai District.

... 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 his arrest by the respondent police in Crime No.15 of 2023 pending investigation on the file of the respondent police.

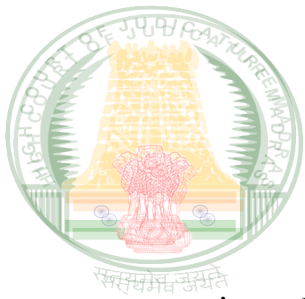
For Petitioner : Mr.S.Prabhu

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 406 and 420 of IPC, in Crime No.15 of 2023, on the file of the respondent police, seeks anticipatory bail.

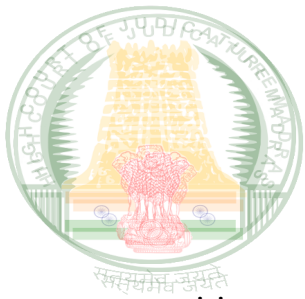
2. The case of the prosecution is that the de-facto complainant is



Crl.O.P.No.13519 of 2025

running a Pawn shop at Bhuvangiri, named Vijaya Bankers and giving amount for the people to re-pawn after redeemed jewellery. On 04.10.2023, at 11.30 a.m, the petitioner contacted the complainant for asking amount of Rs.7,50,000/- for his friend Manikandan who has pledged his jewellery in the CSB Bank, Sirkali. On the same day, at 12.30 p.m, when the de-facto complainant went to the bank, the Manager said to Manikandan that server is slow, and pay and wait for collecting the jewellery. At that time, the employees went for lunch and the complainant paid Rs.7,50,000/- at 1.30 p.m in the name of Manikandan. Thereafter, both the complainant and the petitioner also went to ate lunch. Subsequently, when the complainant went to bank and asked the Manager about the petitioner, he said that they went with jewellery. Later, the complainant came to understand that both Manikandan and the Manager are friends and thereby cheated him. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the



Crl.O.P.No.13519 of 2025

petitioner.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are totally four accused in this case in which, the petitioner is arrayed as A2 and further, he reiterated the prosecution case. He further submitted that A1 and A3 were already released on bail . Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. It is seen that there was a loan transaction between the de-facto complainant and the accused persons. As far as the petitioner is concerned, he was arrayed as A2 and other accused were already arrested and released on bail.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, 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 (15) days from the date of receipt of a copy of this order, before the *learned Judicial Magistrate No.II, Mayiladuthurai*, 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



Crl.O.P.No.13519 of 2025

intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] 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 daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

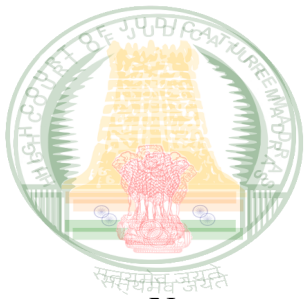
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 of B.N.S.

23.06.2025

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Crl.O.P.No.13519 of 2025

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.II
Mayiladuthurai
2. The Inspector of Police
DCB Police Station
Mayiladuthurai District.
3. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.

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WEB COPY



Crl.O.P.No.13519 of 2025

Crl.O.P.No.13519 of 2025

23.06.2025