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CRL OP No. 12896 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12896 of 2025

1. R K Jalil

S/o Kasim, No 145, T.V Nagar,
Thirumangalam, Chennai-600040.

Petitioner(s)

Vs

1. The State, Rep by its The Inspector
of Police, V5, Thirumangalam Police
Station,
Thirumangalam Police Station,
Thirumangalam, Chennai.

Respondent(s)

PRAYER To enlarge the Petitioner on Anticipatory Bail, in the event of his arrest concerned in Crime No.138 of 2025 pending investigation on the file of the Respondent Police and pass appropriate orders that may deem fit and proper and thus render justice.

For Petitioner(s): Vasanthakumar A

For Intervenor Mr.L.K.Charles Alexander



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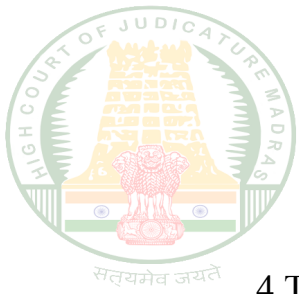
For Respondent(s): Mr.S.Santhosh, Government
Advocate (Crl.Side)

ORDER

The petitioner is apprehending arrest by the respondent police for the offences punishable under Sections 405 and 420 of IPC, 1860, in Crime No.138 of 2025, seeking anticipatory bail.

2.The case of the prosecution is that the defacto complainant had supplied goods worth about Rs.85,00,000/- to the petitioner between August 2022 and June 2023 that the petitioner had not paid the consideration for the said goods and thus committed the aforesaid offence.

3.The learned counsel for the petitioner would submit that the petitioner had not supplied any goods; that even in the FIR, the details of the goods sent, the date and the value is not specifically stated; that a vague allegation has been made; and that in any case the allegations do not warrant any custodial interrogation and sought for anticipatory bail to the petitioner.



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4. The learned counsel for the defacto complainant would vehemently opposed the grant of anticipatory bail and stating that goods worth Rs.85,00,000/- was received by the petitioner and they did not pay the consideration.

5. Heard the learned Government Advocate (Crl.Side) reiterated the prosecution case and opposed the grant of anticipatory bail.

6. This Court has carefully considered the rival submissions.

7. The allegation is that the defacto complainant had supplied goods worth Rs.85,00,000/- to the petitioner in the year 2022. However, the FIR does not contain details of the nature of goods and the date on which it was supplied. The allegations in any case only disclose non-payment of consideration for the goods supplied, which is civil in nature.



8. Considering the aforesaid facts and since the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. 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 copy of this order, before the learned Chief Metropolitan Magistrate, Egmore, on condition that the petitioner shall execute a bond for 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 said Magistrate, 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 twice a week at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during



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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 reported in [(2005)AIR

SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of B.N.S.

gbi

29-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

- 1.The State, Rep by its The Inspector of
Police, V5, Thirumangalam Police
Station,
Thirumangalam Police Station,
Thirumangalam, Chennai.
- 2.The Chief Metropolitan Magistrate,
Egmore.
- 3.The Public Prosecutor,
High Court of Madras, Madras



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SUNDER MOHAN J.

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