

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.05.2025

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No. 14815 of 2025

M.Rajkumar

... Petitioner

Vs

State Rep. by
The Inspector of Police,
T-3, Korattur Police Station,
Korattur, Chennai.

[Cr. No. 358 of 2025]

... Respondent

PRAYER: The Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 praying to enlarge the petitioner on anticipatory bail in the event his arrest in Crime No. 358 of 2025 pending investigation on the file the respondent police.

For Petitioner : Mr.S.Tamizh Selvan

For Respondent : Mr.Dr.C.E.Prathap
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 318(4) of BNS, 2023, in Crime No.358 of 2025 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, in order to obtain loan from KISSHIT App for the purpose of opening a new Saloon, has received a more than Rs.10,000/- and thereafter, he has neither obtained any loan nor returned the money and thus committed the aforesaid offences.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has nothing to do with the alleged offence. He further submitted that due to financial dispute a false complaint has been given. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he sought for bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of bail.

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

6.Considering the nature of allegations, the submissions made by either side, 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/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate, Ambattur***, 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 and on further condition that:

[a] the petitioner shall report **before the respondent police everyday at 10.30 A.M. for a period of one month and thereafter as and when required for interrogation;**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

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

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

09.05.2025

ata/rkp

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 official website of this Court will be watermarked and will also have a QR code.

Copy to:

1.The Inspector of Police,
T-3, Korattur Police Station,
Korattur, Chennai.

2.The Judicial Magistrate,
Ambattur.

3.The Public Prosecutor, High Court, Madras.

L.VICTORIA GOWRI J.

ata/rkp

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