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CRL OP No. 24573 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24573 of 2025

Karunakaran

Petitioner(s)

Vs

State Rep., by
The Inspector of Police, Oragadam
Police Station, Oragadam,
Kanchipuram District. Cr.No.352 of
2024

Respondent(s)

PRAYER Criminal Original Petition filed under Section 438 of Cr.P.C / Section 482 of BNSS Act, to enlarge the Petitioner on bail in the event of their arrest by the Respondent police in connection with the Crime No.352 of 2024 on the file of the respondent Police.

For Petitioner(s): Mr.S.Madhusudanan

For Respondent(s): Mr.Udayakumar
Government Advocate (Crl.Side)



ORDER

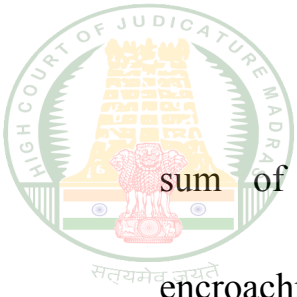
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The petitioner, who apprehends arrest for the alleged offences under Sections 447, 294(b), 420, 506(i) 34 of IPC, in Crime No.352 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Sankaranarayanan lodged a complaint alleging that the petitioner and two other accused received a sum of Rs.17 lakhs for removing an encroachment, but failed to do so, thereby cheating the defacto complainant.

3.The learned counsel appearing for the petitioner would submit that the allegations against the petitioner is entirely false and that the petitioner is no way connected with the alleged offence and that he is falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that, petitioner along with other accused received a



sum of Rs.17 lakhs from the defacto complainant for removing an encroachment. However, they neither removed the encroachment nor returned the money.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6.The learned counsel for the petitioner submits that in the earlier order, this Court granted bail with a condition that the petitioner to pay a sum of Rs.8,00,000/- to the defacto complainant. Accordingly, the amount is also been paid by the petitioner. But, there was an delay to execute the sureties. Hence, the present petition has been filed by the petitioner. This Court also made appearance on 14.03.2025 that the amount was paid as per the direction of this Court to the defacto complainant.



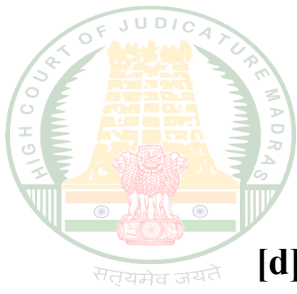
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7. Considering the facts and circumstances of the case, the amount has already been paid by the petitioner to the defacto complainant and the fact that the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sriperubudur** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent on every Saturday at 10:30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

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



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[d] the petitioner shall not abscond 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 BNS.

12-09-2025

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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.



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To
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- 1.State Rep., by
The Inspector of Police, Oragadam
Police Station, Oragadam,
Kanchipuram District. Cr.No.352 of
2024
- 2.The Judicial Magistrate,
Sriperubudur.
- 3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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