



Crl.O.P.No.15405 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15405 of 2025

Rethik

... Petitioner

Vs.

State rep. by
The Inspector of Police
R.S Puram Police Station
Coimbatore City
Crime No. 180 of 2025

... Respondent

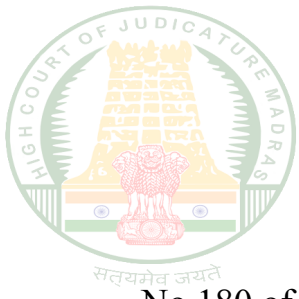
PRAYER : Criminal Original Petition filed under Section 484 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of his arrest by the respondent police in Crime No. 180 of 2025 on the file of the respondent police.

For Petitioner : Mr.Balaji.T

For Respondent : Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER

The petitioner, apprehends arrest for the alleged offences under Sections 316(2), 318(4) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime



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No.180 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the de-facto complainant Sudha is the owner of one Pattukottai Mess at RS Puram; due to the misunderstanding, the de-facto complainant and her son Ashok were not talking with each other from the past year; her son Ashok engaged the petitioner in his hotel for the work of server; while being so, the de-facto complainant gave money to the petitioner on every month to send it to her son Ashok; thereafter, the de-facto complainant came to know that the petitioner only sent a small portion of money to her son and misappropriated to the tune of Rs.1,35,571/-; when it was questioned by them, the petitioner threatened them with dire consequences. 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. He further submitted that the petitioner was engaged by one Ashok for doing digital marketing and at that time, Ashok's mother Sudha ordered the petitioner to do the manual work, but he refused to do so, for which a false complaint has been made against him as if the petitioner has misappropriated some amount from the mess. The learned counsel further



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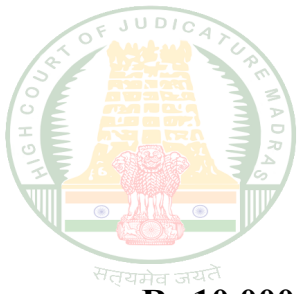
submitted that the petitioner had all the bank records to prove that he has not committed any cheating. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

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

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

6. 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.

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 (15) days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate-I, Coimbatore***, on condition that the petitioner shall execute a bond for a sum of



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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 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, everyday 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.



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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.

To

1. The Judicial Magistrate-I, Coimbatore
2. The Inspector of Police
R.S Puram Police Station
Coimbatore City
3. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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