



WEB COPY



Crl.O.P.No.15233 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15233 of 2025

Vasantharaj

... Petitioner

Vs.

State Rep by,
The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.

Cr.No.96 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of B.N.S.S., 2023 to enlarge the petitioner on bail in the event of his arrest in Crime No.96 of 2025 on the file of the respondent police.

For Petitioners : Mr.Sudhakar Kannusamy

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



Crl.O.P.No.15233 of 2025

WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 316(2), 316(4), 318(4), 126(2) , 351(2) of BNS , in Crime No.96 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has cheated the defacto complainant to the tune of Rs.1.15 lakhs. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and a false complaint has been given as against him and the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

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



Crl.O.P.No.15233 of 2025

WEB COPY

5. According to the defacto complainant, the petitioner has misappropriated to the tune of Rs.1,30,00,000/- and made fixed deposits worth Rs.55,18,030/- and purchased a plot worth Rs.30,00,000/-. The petitioner has filed an affidavit stating that out of Rs.1.30 crores, Rs.40,00,000/- has been admittedly repaid and the remaining amount of Rs.55,00,000/- deposited in the Fixed deposit during the course of investigation is still lying in the said account. In respect of the property purchased to the tune of Rs.30,00,000/-, the petitioner has stated that he is ready to produce original documents before the court of law.

6. Heard both sides and perused the materials available on record including the First Information Report.

7. A scanned reproduction of the Affidavit filed by the petitioner is as follows:-



Crl.O.P.No.15233 of 2025

WEB COPY

**IN THE HON'BLE HIGH COURT OF JUDICATURE AT
MADRAS**

(Criminal Original jurisdiction)

Crl.O.P.No. 15233 of 2025

In

Crime No: 96/2025

(On the file of the respondent police)

Vasantharaj @ Vasantharaji, M/34
S/o. Venugopal,

74, Mariyamman Kovil Street,
T.Parangani, Vanur Taluk,
Villupuram District.

..Petitioners/Accused No.1

-Vs-

State Rep by,

Inspector of police,

Kadampuliyur Police station,

Cuddalore District,

Crime No. 96/2025.

..Respondent /Complainant

AFFIDAVIT OF VASATHARAJI

I, Vasantharaji, S/o. Venugopal, Hindu aged about 34
years residing at 74, Mariyamman Kovil Street, T.Parangani,

V. Vasantharaji



Crl.O.P.No.15233 of 2025

WEB COPY

Vanur Taluk, Villupuram District, now temporally come down to Chennai, do hereby solemnly affirm and sincerely states as follows:-

1. I submit that I am the petitioner in the above Criminal Original Petition. I have been falsely implicated as the accused in Crime No. 96 of 2025, and I as such I am well acquainted with the facts and circumstances of the case. At the very outset I submit that I am filing this instant affidavit, voluntarily to show my bona fide, without prejudice to my rights, before this Hon'ble court.
2. I submit that the de-facto complainant has made false and baseless allegations against me alleging that I was appointed as a manager in the defacto complainant's Janani cashew industries manufacturing cashew oil. The defacto complainant in the FIR further alleged that I have misused the faith and transferred money from defacto complainant's to my account to a tune of Rs.67,83,750/-. Further an allegation had been made that a sum of Rs.47,50,000/- was transferred through company Gpay to my account and a cash of Rs. 15,00,000 was taken from the company account. Hence the defacto complainant had alleged that I had misappropriated to a tune of Rs. 1,30,00,000/- and out of misappropriated amount I had allegedly made fixed deposits worth Rs.55,18,030/- acquired plot worth Rs.30,00,000/-at Vanur, Villupuram. Further the defacto complainant further stated that I had returned a sum of Rs. 39,26,000/- back to the defacto

V. Van Raj



CrI.O.P.No.15233 of 2025

WEB COPY

complainant. Hence the FIR has been foisted against me on the above allegations.

3. I most humbly submit that I had acquired the above plot and made the said FD out of my hard-earned income from business activities. It is pertinent to state that I had made complaints against the de-facto complainant on 14.12.2024 and 10.03.2025, but no action was taken by the respondent police and the further investigation of the same would reveal the true facts. While the facts stood thus, I have filed an anticipatory bail petition before this Hon'ble Court, which came up for hearing on 21.05.2025. During the hearing, through my counsel, I voluntarily expressed my willingness to demonstrate my bona fides by producing the said plot document before the Learned Judicial Magistrate, which the Defacto complainant had alleged to have purchased through the misappropriated funds. I voluntarily file this affidavit, without prejudice, in order to show my bona fide before this Hon'ble Court. It is pertinent to mention that even the defacto complainant himself has stated that I have returned a sum of Rs. 39,26,000/- and my FD account had been already frozen.

3. I undertake not to alienate the plot to third party until the outcome the investigation. I also seek protection of my rights and submit that the defacto complainant is not entitled to any amount on the basis of a false complaint, pending investigation and this affidavit is filed only to show my bonafidenes. Unless



Crl.O.P.No.15233 of 2025

WEB COPY

this Hon'ble Court considers my anticipatory bail, I will be put to irreparable hardship and loss.

It is prayed that

Hence, this Hon'ble court may be pleased to record my affidavit and consider my anticipatory bail in Crl.O.P 15233/2025 before this Hon'ble court and pass such other orders deems fit and proper for the circumstances of the case and thus render justice.

Solemnly affirmed and signed

At Chennai in my presence

On this the 22nd day of May 2025

V. V. V. V.
Before Me
A. J. J. J. (21/5/2025)
No. 15/2025
Advocate, Chennai



CrI.O.P.No.15233 of 2025

WEB COPY

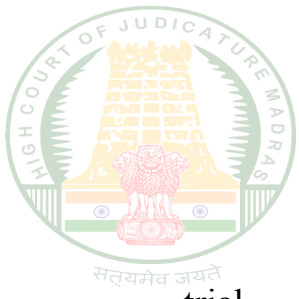
8. Recording the above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The affidavit shall form part and parcel of the anticipatory bail order. It will bind till the delivery of judgement.

9. Accordingly, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Panruti on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation .

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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



CrI.O.P.No.15233 of 2025

trial.
WEB COPY

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

22.05.2025

Vv

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.**



WEB COPY



Crl.O.P.No.15233 of 2025

N.SENTHILKUMAR,J.

Vv

To

1. The Judicial Magistrate-I, Vellore
2. The The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.15223 of 2025

22.05.2025