



WEB COPY



Crl.OP.No.15439 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

Crl.OP.No.15439 of 2025

Arivagaran

... Petitioner/A1

Vs.

State rep. by
The Inspector of Police,
R2, Kodambakkam Police Station (Crime),
Kodambakkam, Chennai District.

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge him on bail in the event of his arrest, in crime No.220 of 2024, on the file of the inspector of police, R-2, Kodambakkam police Station (crime)

For petitioner : Mr.G.Sathish Kumar

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 406, 420 & 34 of IPC, in Crime No.220 of 2024, seeks anticipatory bail.



WEB COPY

2.The case of the prosecution is that the defacto complainant has been engaged in the export of vegetables and groceries to the foreign countries for the past 25 years. The accused approached the defacto complainant in connection with his export business and assured substantial profits if the complainant supplied groceries and vegetables to him. Relying on this assurance, the complainant shipped the goods between 25.05.2017 and 29.01.2018, incurring a total amount of Rs.32,18,655/- towards purchase and transportation. Despite repeated demands, the accused failed to repay the amount. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case to defame the name of the petitioner. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case.



5.Having heard the learned counsel for the petitioner and the learned

Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 a copy of this order, before the learned *XVII Metropolitan Magistrate, Saidapet, Chennai* 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, 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 concerned Magistrate on every Monday to Friday at 10.30 a.m., and before the respondent Police on every Saturday and Sunday at 10.30 a.m., until further orders;



WEB COPY



Crl.OP.No.15439 of 2025

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

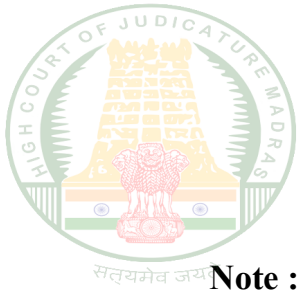
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21.05.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
rpl



CrI.OP.No.15439 of 2025

Note :

WEB COPY

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 XVII Metropolitan Magistrate, Saidapet, Chennai.

2.The Inspector of Police,
R2, Kodambakkam Police Station (Crime),
Kodambakkam, Chennai District.

3.The Public Prosecutor,
Madras High Court, Chennai.



WEB COPY



Crl.OP.No.15439 of 2025

N.SENTHILKUMAR, J.

rpl

Crl.O.P.No.15439 of 2025

21.05.2025