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Crl.O.P.No. 15841 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRL. O.P.NO.15841 of 2025

P.Boopathy

... Petitioner

Vs

The State Rep by,
Inspector of Police,
DCB Police Station,
Erode District.
(Crime No.5 of 2025)

...Respondent

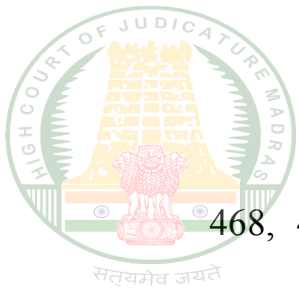
Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 5 of 2025 pending on
the file of the respondent police.

For petitioner : M/s.Arul Kannappan

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

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 120B, 420,



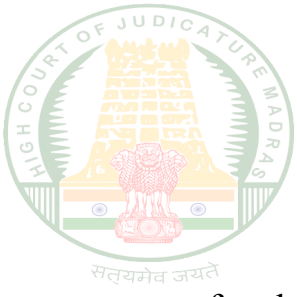
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468, 471 of IPC, 1860 in Crime No.5 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant has lodged a complaint stating that the defacto complainant is working as a Manager in Shri Ram Finance Limited, that the A1 is working as a team Leader of the aforesaid finance, that A3 is the wife of A1, that on 21.04.2023, the petitioner along with other accused, have cheated the aforesaid finance company to the tune of Rs. 37,02,610/- by fabricating the false documents.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.9,90,000/- to the credit of crime number before the Court concerned, therefore, he prayed for anitcipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally 7 accused in this case and the petitioner has been arrayed as A6; and hence opposed the grant of anticipatory bail to the petitioner.

5. Considering the facts of the case, the nature of the allegations, and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No. 2, Erode** 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand



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dismissed and on further condition that:

[a] the petitioner and 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 four weeks and thereafter as and when required for interrogation;

[c] The petitioner shall deposit a sum of Rs.9,90,000/- (Rupees Nine Lakhs and Ninety Thousand only) to the credit of Crime No.5 of 2025 before the learned Magistrate concerned and on such deposit, the learned Magistrate concerned shall re-deposit the same to any of the Nationalized bank under interest bearing scheme and disburse the same, at the time of completion of the trial or if any settlement arrived between the parties;

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

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

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is



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

22.05.2025

ns1/stn

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.**



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N.SENTHILKUMAR, J.

nsI/stn

To:

1. Inspector of Police,
DCB Police Station,
Erode District.
2. The Judicial Magistrate No.2 at Erode.
3. The Public Prosecutor,
Madras High Court.

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