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CRL OP No. 16214 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 16214 of 2025

1. Thangadurai

2. K.B.Adhikesavan

Petitioners

Vs

The State rep by, The Inspector of
Police,

District Crime Branch, Villupuram

District. (Crime No. 2 of 2025)

Respondent

PRAYER This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the Petitioners on bail in the event of their arrest by the respondent police in Crime No.2 of 2025 on the file of The Inspector of Police, District Crime Branch, Villupuram on our appearance before the concerned court and thus render justice.

For Petitioners: Mr.S Siva Kumar

For Intervenor: Mr.P.Mani Kannan

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.2 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused are running monthly Auction Chit Fund. The defacto complainant and 75 others joined in the Chit Fund and paid cash of Rs.10,000/- for 33 months and the petitioners collected the total amount of Rs.54,75,000/- from the defacto complainant and 22 members and cheated a sum of Rs.54,75,000/-. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. The learned counsel further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. He further submitted that



A1 in this case has been arrested and enlarged on bail. Hence, prayed for anticipatory bail to the petitioners.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution's case and submitted that totally there are three accused involved in this case and the petitioners are arrayed as A2 and A3. He further submitted that the alleged cheated amount was not yet recovered and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the age and nature of the allegations and the submissions made by the learned counsel appearing on either side, the overtact levelled against the second petitioner and since, custodial interrogation of the



second petitioner is not required, this Court is inclined to grant anticipatory bail to the second petitioner alone with certain conditions.

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7. Considering the overtact levelled against the first petitioner, and the stage of investigation, this Court is not inclined to grant the relief sought for in this petitioner. Accordingly, this Criminal Original Petition as regards first petitioner is dismissed.

8. Accordingly, the second petitioner 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 on which the order copy made ready, before **the learned Judicial Magistrate, Vanur** on condition that the second 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] if the second petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the second petitioner shall report before the respondent Police daily at 10.30 for a period of one week and thereafter as and when required for interrogation;

[d] the **second** petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the second petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the second petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[h] On breach of any of the aforesaid conditions, the learned



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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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

14-07-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To
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1. The Inspector of Police,
District Crime Branch, Villupuram
District. (Crime No. 2 of 2025)

2. The Judicial Magistrate, Vanur.

3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN J.

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