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Crl.O.P.No.17314 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17314 of 2025

Dakshina Murthy

... Petitioner

Vs

The State,
Represented by
Inspector of Police,
Avadi – CCB,
Tiruvallur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on
anticipatory bail in the event of he being arrested in Crime Number 31 of
2025 to the petitioner on the file of Inspector of Police, Avadi CCB,
Tiruvallur District.

For Petitioner : Ms.K.Indhumathi

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 420 IPC in Crime No.31 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that in the guise of getting job in Railways and Tamil Nadu Electricity Board, the petitioner cheated four victims to the tune of Rs.24,05,000/-. Hence, the complaint.

3.The learned counsel for petitioner submits that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submits that in fact, Driver of the petitioner had collected the amount from the defacto complainant without the knowledge of the petitioner. The petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that in the guise of the getting jobs in Railways and Tamil Nadu Electricity Board, the petitioner received the amount in lakhs and thereafter, failed to do so. He further submits that on completion



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of investigation, charge sheet filed before the trial Court on 04.06.2025.

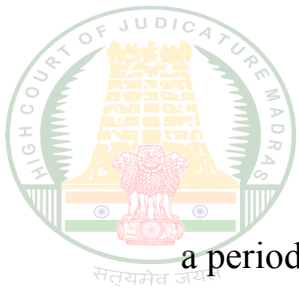
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5.Heard both sides and perused the materials available on record.

6.Considering the fact that investigation completed and charge sheet filed before the trial Court, 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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Poonamallee 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] if the petitioner fails to surrender before the said Magistrate within



a period of fifteen days, this Order shall stand automatically cancelled;

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[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 the identify proofs to ensure their identity;

[c]the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

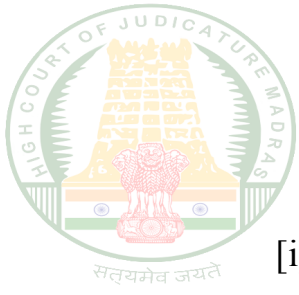
[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

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

[h] 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 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];



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

27.06.2025

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To

- 1.The Judicial Magistrate No.II,
Poonamallee.
- 2.The Inspector of Police,
Avadi – CCB,
Tiruvallur District.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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