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Crl.OP.No. 17827 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 17827 of 2025

Selvam @ Selva Kumar

Petitioner

Vs

The State rep. by

The Inspector of Police

J-4, Kotturpuram Police Station

Chennai.

(Crime No. 182 of 2025)

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No.182 of 2025 on the file of the respondent police.

For Petitioner : Mr.Thamaraiselvan R.

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of IPC in Crime No.182 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner along



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with other accused had received a sum of Rs.6,00,000/- from the de-facto complainant and her brother under the guise of “getting allotment of houses” in Tamil Nadu Housing Board. Thereafter, the petitioner neither returned the money nor allotment orders to the de-facto complainant and her brother and later, the petitioner cheated the defacto complainant and her brother. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is a car driver of A1 and he has not committed any offence as alleged by the prosecution. He further submits that A1 had already arrested and remanded into judicial custody in some other case. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that A1 was arrested and remanded into judicial custody in some other case. He further submits that the petitioner is arrayed as A2. However, he opposed to grant



anticipatory bail to the petitioner.

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5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side and considering the fact that the petitioner herein is only a driver of A1, 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 on which the order copy made ready, before the learned **IX Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days



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from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

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

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;



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

18.09.2025

MSM
To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai,
- 2.The Inspector of Police
J-4, Kotturpuram Police Station
Chennai.
(Crime No. 182 of 2025)
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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