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Crl.OP.No.17922 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.17922 of 2025

1. Kirubhakaran

2. Kannan

... Petitioners

Vs.

State rep by

The Inspector of Police,

Selaiyur Police Station,

Chengalpet District.

(Cr.No.490 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
his arrest in Crime No.490 of 2024 on the file of the respondent police.

For Petitioners : Mr.T.Vijayan

For Intervenor : Mr.M.Dhanabalakrishnan

For Respondent : Ms.J.R.Archana

Government Advocate (Crl. Side)

ORDER



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The petitioners, who apprehend arrest for the alleged offence under Sections 406 and 420 of IPC, in Crime No.490 of 2024, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners, under the pretext of offering profit, collected a sum of Rs.43,00,000/- from 13 victims and misappropriated the same, which led to the registration of the FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that though the FIR was registered in the month of October 2024, the petitioners have repaid a sum of Rs.19½ lakhs to some of the victims and are ready to settle the remaining amount. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel appearing for the intervenor submitted that no amount has been settled so far and the claim made by the petitioners is false. He further submitted that if anticipatory bail is granted, there is a likelihood



of hampering the investigation. Hence, he vehemently opposed the grant of anticipatory bail.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation has already been concluded and the final report has also been filed, though it has not yet been taken on file. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

7. Considering the submissions made by the learned Government Advocate (Crl. Side) that the investigation has already been concluded and the final report filed against the petitioners, I am of the view that custodial interrogation of the petitioners is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days



from the date on which the order copy made, before the learned **Judicial**

Magistrate-I, Tambaram on condition that each of the petitioners shall

execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five**

Thousand only) with two sureties each for a like sum to the satisfaction

learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days 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 identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the



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learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

20.11.2025

Vv

To

1. The Judicial Magistrate-I, Tambaram
2. The Inspector of Police,
Selaiyur Police Station,
Chengalpet District.
- 3.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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