



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.18728 of 2025

and

CrI.M.P.No.13501 of 2025

1.K.P.N.Raajesh

2.Sarvesh

.. Petitioners/A1 & A2

Vs.

The State Rep by,
The Inspector of Police,
Salem City Police Station,
Salem District.

(Crime No.15 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in the event of their arrest in Crime No.15 of 2025 dated 23.06.2025 on the file of the respondent police, pending investigation.

For Petitioners : M/s.Nirmal Aditya

For Intervenor : Mr.L.Rajaram

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



ORDER

The petitioners were apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 420 of IPC [318(4) of BNS] in Crime No.15 of 2025, seeks anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners had already repaid the amount. The petitioners acknowledge having received a loan of Rs.25 lakhs from the de facto complainant and have repaid the amount by way of cash, with instructions to deposit it into the de facto complainant's account. To prove the same, they are ready to produce contemporary documents along with chartered accountant statements. Further, in this case, the 2nd petitioner was studying in abroad the time of the alleged transactions and has been falsely been implicated. To show their *bona fide* without prejudice to their right to defence, they are willing to deposit a sum of Rs.25 lakhs to the credit of Crime No.15 of 2025 and participate in the investigation. Hence, he prays to grant anticipatory bail to the petitioners.



3. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

4. Having 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, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.I, Salem**, on condition that the petitioners 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 petitioners 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 petitioners are directed to deposit a sum of Rs.25,00,000/- [Rupees Twenty-Five Lakhs Only] jointly to the credit of Crime No.15 of 2025 within a period of two weeks, and on such deposit, the Trial Court is directed to re-deposit the same in the interest bearing account.

[d] the petitioners shall report before the respondent Police for a period of three weeks and thereafter, as and when required for further interrogation; the de facto complainant is also directed to appear before the respondent regularly and cooperate with the investigation.

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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[f] the petitioners shall make himself available for interrogation by a Police office as and when required;

[g] the petitioners 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;

[h] the petitioners shall not abscond either during investigation or trial;

[i] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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];

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

29.07.2025

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CrI.O.P.No.18728 of 2



M.NIRMAL KUMAR, J.

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To

- 1.The Judicial Magistrate No.I, Salem.
- 2.The Inspector of Police,
Salem City Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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