



Crl.O.P.No.20111 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.20111 of 2024

1.V.Saravanan

2.D.Rajesh

... Petitioners

Vs.

State rep. by

The Inspector of Police

K-4, Anna Nagar Police Station

Chennai-600 040

Crime No. 376 of 2022

... 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 by the respondent police in Crime No.376 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.Kokkirakulam Agnimuthu Mariappan

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

ORDER

The petitioners, who apprehend arrest for the alleged offences under Sections 406 and 420 IPC, in Crime No.376 of 2022, on the file of the respondent police, seek anticipatory bail.

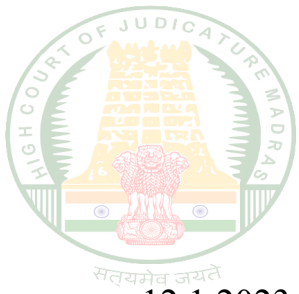


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2. The case of the prosecution is that on the inducement and false assurance of the accused A3 to A6 and others, the de-facto complainant invested a sum of Rs.7,15,000/- in the name of his family members and deposited a sum of Rs.2,00,000/- in the account of the 1st petitioner herein, based on the directions of the accused A3 to A6. However, till date, the petitioners have neither returned the principal amount nor paid the interest for the said amount and later, on further investigation, the de-facto complainant came to know that he got cheated by the petitioners and other accused persons. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submitted that the petitioners were already granted anticipatory bail by this Court on 14.02.2023 on condition to deposit a sum of Rs.3,00,000/- to the credit of crime No.376 of 2022. Aggrieved by the same, the petitioners had approached the Hon'ble Supreme Court of India and the same was dismissed by an order dated 05.07.2023. Thereafter, the petitioners have paid a sum of Rs.4,00,000/- by way of online transfer to the account of the de-facto complainant and they have already paid a sum of Rs.1,00,000/- on



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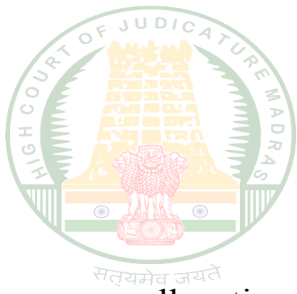
12.1.2023, totalling a sum of Rs.5,00,000/-. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police while reiterating the prosecution case, has strongly opposed for grant of anticipatory bail to the petitioners.

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

6. It is a case of money transaction between the petitioners and the de-facto complainant. According to the de-facto complainant, based on the false promise made by the petitioners and other accused that they would return double the amount, the de-facto complainant and his family members had paid a sum of Rs.7,15,000/- to the accused persons. However, sofar, the petitioners have paid Rs.6,45,000/- to the de-facto complainant. Therefore, the custodial interrogation of the petitioners does not require.

7. Taking note of the facts and circumstances of the case, nature of



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allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with 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 of receipt of a copy of this order, before the *learned V Metropolitan Magistrate, Egmore, Chennai-8*, on condition that the petitioners shall execute a separate 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 further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for further interrogation;

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[e] 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 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]*;

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

23.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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G.K.ILANTHIRAIYAN, J.

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To

1. The V Metropolitan Magistrate,
Egmore, Chennai-8
2. The Inspector of Police
K-4, Anna Nagar Police Station
Chennai-600 040
3. The Public Prosecutor,
High Court of Madras.

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