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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.22367 of 2025

1.Sellaperumal
2.Chandrasekar ... Petitioners

Versus

State rep. by
The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.323 of 2025) ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.323 of 2025 on the file of the respondent police.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Section 318(2) of BNS @ 318(4) of BNS, in Crime No.323 of 2025 seek anticipatory bail.



2.The allegation against the petitioners is that the petitioners induced the defacto complainant, who is a manager of Aaradhya Gold Company, to hand over the jewels for mortgaging and to handover the money. Subsequently, the petitioners neither returned the jewels nor repaid the money collected from the defacto complainant, which amounts to Rs.8,37,000/-. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to return the money as claimed by the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that all the accused actively participated in the alleged occurrence and the investigation is still pending. Hence, he opposed to grant anticipatory bail to the petitioners.

5. In reply, the learned counsel for the petitioners would submit that without prejudice the petitioners are prepared to deposit a sum of



Rs.2,79,000/- each, to the credit of Crime Number and hence he prays for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

7. Considering the submissions made on both sides and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.2,79,000/- each, to the credit of crime number, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are directed to deposit a sum of Rs.2,79,000/- (Rupees Two Lakhs Seventy Nine Thousand only) each, to the credit of Crime Number 323 of 2025 and on such deposit and on receipt of proof of payment, 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, Omalur***, on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), each 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, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.10.2025

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To

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1. The Judicial Magistrate, Omalur.

2. The Inspector of Police,
Deevattipatti Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

drl

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