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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.23546 of 2025

R.V.Krishnamurthy

Vs

Petitioner

The State rep. by
The Inspector of Police,
Race Course Police Station,
Coimbatore City – 641 018.
Crime No.407 of 2025.

Respondent(s)

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 in Crime No.407 of 2025 on the file of the respondent police.

For Petitioner(s):

Mr.Shahith Ahamed

For Respondent(s):

Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 318(4) and 61(2) of BNS, 2023 in Crime No.407 of 2025 on the file of the respondent seeks anticipatory bail.

2. The allegation against the petitioner is that, under the pretext of arranging a printing machine from Spain, the petitioner collected a sum of 47,000 Euros, equivalent to ₹42,30,000/-, from the defacto complainant. However, without importing the machinery, the petitioner forwarded the money to the exporter in Spain, and due to the exporter being blacklisted, the machinery could not be sent. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that the petitioner had acted only as a mediator and had collected merely 3,000 Euros as commission, and that he has not gained any amount apart from



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the said commission. Hence, he prays that anticipatory bail may be granted to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that, apart from the amount sent to the exporter in Spain, the remaining portion of the money had been retained by the petitioner. He further submitted that the investigation is still pending. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for the respondent and perused the materials available on record.

6. Considering the fact that a huge sum of Rs.42,30,000/- was received by the petitioner under the pretext of arranging printing machinery, and he subsequently failed to honour the same, it is seen that the petitioner had adopted a different method of import and paid the



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money to the exporter without producing any sufficient materials in favour of the defacto complainant. During the course of investigation, it was also revealed that the petitioner had refunded only half of the amount to the defacto complainant. Considering the submissions made by the learned counsel on both sides, the nature of the allegations, and the petitioner's involvement in the alleged offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

29-10-2025

drl

To

1. The Inspector of Police,
Race Course Police Station,
Coimbatore City – 641 018.

2. The Public Prosecutor
High Court of Madras.

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K.RAJASEKAR, J.,

drl

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