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Crl.O.P.No.28561 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.28561 of 2024

1.S.Padhmini Sriram  
2.K.Vetrivelu  
3.Sri Ramalu Harikrishnan

...Petitioners/Accused1-3

Vs.

State rep by  
The Inspector of Police,  
Conventional Crime Branch, CCB,  
Avadi, Chennai -54.

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on Anticipatory Bail in the event of their arrest in Crime No.67 of 2024 on the file of the respondent police pending investigation.

For Petitioners : Mr.B.Janakiram

For Respondent : Mr.S.Santhosh  
Government Advocate (Crl. Side)  
Mr.S.Samuel Rajapandian  
for Intervenor



CrI.O.P.No.28561 of 2024

### **ORDER**

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This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent, seeking anticipatory bail in Crime No.67 of 2024 registered for the offences under Sections 465, 468, 471, 420 read with 120B of IPC.

2.The case of the prosecution is that the petitioners had purchased certain electrical products from the defacto complainant to the tune of Rs.1,48,52,115/- and that they had only paid a sum of R.1,18,02,115/-; that the petitioners failed to pay the balance amount and cheated the defacto complainant. Hence the complaint.

3. Learned counsel appearing for the petitioners submitted that the allegations relate to a money dispute and at best, reveals a breach of contract; that the offence under Section 420 of IPC has not been made out; that this Court had directed the parties to appear before the Mediation and Conciliation Centre attached to this Court and the parties now have arrived at a compromise, by which, the petitioners had agreed to pay a sum of Rs.37,00,000/- in six installments i.e., Rs.6,00,000/- from February 2025 to



Crl.O.P.No.28561 of 2024

July 2025 along with 1% interest and hence, sought for grant of anticipatory

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4. Learned counsel for the defacto complainant and the learned Government Advocate (Crl.Side) reiterated the prosecution case and vehemently opposed for the grant of anticipatory bail.

5. Heard learned counsel for the petitioners, the learned Government Advocate (Crl.Side) and the learned counsel for the defacto complainant.

6. Considering the fact that there is a commercial transaction, there is a money dispute between the defacto complainant and the petitioners; that a Memorandum of Understanding dated 17.02.2025 has been entered into between the petitioners and the defacto complainant, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the



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event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned **Judicial Magistrate No.I, Poonamallee** 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 said Magistrate, on further condition that:

**[a] The petitioners shall comply with the terms of Memorandum of Understanding dated 17.02.2025;**

[b] 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;

**[c] the petitioners shall report before the respondent Police, as and when required;**

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

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

[f] 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



Crl.O.P.No.28561 of 2024

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]***;

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

**11.03.2025**

rkp

Copy to:

- 1.The Inspector of Police,  
Conventional Crime Branch, CCB,  
Avadi, Chennai -54.
- 2.The Judicial Magistrate No.I, Poonamallee.
- 3.The Public Prosecutor,  
High Court, Madras.

**SUNDER MOHAN, J.**

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Crl.O.P.No.28561 of 2024

Crl.O.P.No.28561 of 2024

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