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CRL OP No. 25625 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 25625 of 2025

1. Venkatesh
S/o.Pattu

2. Saraswathi

W/o.Venkatesh, Both are Residing at,
Door No 135, Nallathaneer,
Odaikuppam, Thiruvottiyur, Chennai-
600 019.

Petitioner(s)

Vs

1. State Rep by
Inspector of Police, Thiruvottiyur
Police Station, Chennai. Crime No.365
of 2025

Respondent(s)

PRAYER

To ENLARGE THE PETITIONERS ON ANTICIPATORY BAIL at the instance of the arrest in connection with Crime No. 365 of 2025 on the file of the Respondent and pass any other or further order deems fit and proper in the



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circumstances of the case and thus render justice.

For Intervenor: Mr.B.Mukilarasan

For Petitioner(s): M.S.Oviya

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 406 and 420 of IPC in Crime No.365 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that they promised to lease out the property and collected a sum of ₹3 lakhs. However, they failed to lease out the property or return the money. Hence, the complaint.

3. When the matter was called today, the learned counsel for the petitioners submitted that both parties have negotiated and settled the issue amicably. They have also entered into an agreement, wherein the petitioner agreed to pay Rs.2 lakhs to the de facto complainant, which has been duly paid.

4. The learned counsel for the intervenor/the de facto complainant is present in the court and has acknowledged receipt of the money.



5. Considering the submissions made on both sides, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 on which the order copy made ready, before the **learned Judicial Magistrate, Thiruvottiyur**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (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;



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(c) **The petitioners shall report before the respondent police as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

04-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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CRL OP No. 25625 of 20



1.The Judicial Magistrate, Thiruvottiyur.

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2.State Rep by

Inspector of Police, Thiruvottiyur

Police Station, Chennai. Crime No.365

of 2025

3.The Public Prosecutor

High Court of Madras.



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CRL OP No. 25625 of 20



K.RAJASEKAR J.
mpa

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