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Crl.OP.No.26110 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.26110 of 2025

Dr.M.Manikandan

... Petitioner

Vs.

State Rep by
The Inspector of Police
T-13, Chitlapakkam Police Station,
Jothi Nagar, Chitlapakkam
Tambaram City.
(Crime No.185 of 2025)

... 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 the arrest in Crime No.185 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.Mohamed Muzammil

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



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **406 and 420 of IPC, in Crime No.185 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner borrowed a sum of Rs.11 lakhs & Rs.19 lakhs and subsequently, failed to return the total amount of Rs.30 lakhs. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is a PhD Guide for the defacto complainant and the petitioner is an innocent person. He already filed civil suit against the respondent police and the defacto complainant for misusing the criminal jurisdiction and harassing him. He is ready to abide by any conditions and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts that the allegation against the petitioner is that he received a sum of Rs.30 lakhs from defacto complainant and failed to repay the money and these transactions taken place in the year 2018, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.2, Tambaram**, on condition that the petitioner shall execute a 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 that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days



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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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 7 P.M., for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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)13 SCC 283]**;

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

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To
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1.The Judicial Magistrate Court No.2, Tambaram.

2.The Inspector of Police
T-13, Chitlapakkam Police Station,
Jothi Nagar, Chitlapakkam
Tambaram City.
(Crime No.185 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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