



CRL OP NO. 26224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 26224 of 2025

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Prabhakaran Murugesan

...Petitioner

Vs

State Rep by its,
The Inspector of Police,
T-5, Thiruverkadu Police Station
Chennai
Crime No. 614 of 2025.

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 614 of 2025 u/s. 406 and 420 of IPC.

For Petitioner(s): Mr.M.Velmurugan

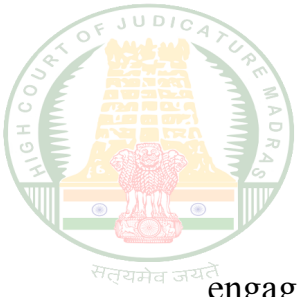
For Intervenor : Mr.R.John Joseph

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that the de-facto complainant engaged in the business of "Job Work Pouching" across Tamil Nadu. The petitioner placed an order with the de-facto complainant for manufacturing of pouches under various brand names, using the petitioner's own printed rolls and specifications. The de-facto complainant had supplied the goods to the petitioner herein for a sum of Rs.9,64,983/-. On 20.08.2021, the petitioner paid amount of Rs.1,50,000/- to the de-facto complainant's bank account. Thereafter, the petitioner created, fabricated debit notes and invoices were issued by the petitioner for a sum of Rs.6,66,195/- to the de-facto complainant and the debit notes were partially acknowledged by the de-facto complainant through E-mail. It is further alleged that the balance unpaid amount for various invoices a total outstanding amount of Rs.9,64,983/-, despite several requests, the petitioner deceived the de-facto complainant. Later, the petitioner issued a fabricated debit notes claiming that the payment has already been adjusted with the intention to mislead and delay the payment. Hence, the respondent police registered a case against the petitioner.



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3. The learned counsel for the petitioner submits that the debit notes amounting to Rs.6,66,195/- were partially acknowledged by the de-facto complainant through various E-mail. He further submits that the petitioner was duly summoned and appeared before the respondent police for inquiry and the matter is purely civil in nature and the same is pending before the District Legal Services Authority, Tiruvallur. However, he also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there was some money transactions between the petitioner and the de-facto complainant. He further submits that investigation is pending. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Mr. R. John Joseph, learned Counsel for the Intervener/de-facto complainant submitted that the petitioner has not paid any amount for the 19 invoices totalling Rs.9,64,983/-. The petitioner issued fabricated debit notes



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claiming that the payment has already been adjusted with the intention to mislead and delay the payment. Therefore, the learned Counsel for the Intervener opposed for grant of anticipatory bail to the petitioner.

6. I have considered both sides submissions and perused the records.

7. Admittedly, the allegation against the petitioner is with regard to non-payment of money for 19 invoices raised by the de-facto complainant. The contention of the de-facto complainant is that the petitioner created, fabricated debit notes as if the amount of Rs.9,64,983/- were settled. This Court is of the view that major allegations in this case for non payment of money for the goods supplied by the de-facto complainant. Hence, I am of the view that the custodial interrogation is not required in this case.

8. Considering the facts and circumstances of the case and submissions made by learned counsels on either side and the fact that the major allegations in this case for non payment of money for the goods supplied by the de-facto complainant and considering the fact that investigation is pending, this Court is inclined to grant anticipatory bail to



the petitioner with certain conditions.

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9. 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 NO.II, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 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



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respondent Police daily at 10.30 a.m for a period of three 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

24.09.2025

MSM

To

1.The Judicial Magistrate NO.II, Poonamallee.

2.The Inspector of Police,

T-5, Thiruverkadu Police Station

Chennai

Crime No. 614 of 2025.

3.The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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