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CRL OP No.2859 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.02.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No.2859 of 2025

A.Rajendran

.....Petitioner(s)

Vs

The State
rep. by the Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
(Crime No.6 of 2015)

...Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to enlarge the petitioner on anticipatory bail in the event of the arrest pending investigation in Crime No.6 of 2015 on the file of the respondent police.

For Petitioner(s) : Mr.Nandha Gopal

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 & 506(1) IPC in Crime No.6 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, in order to



secure Government job for the defacto complainant's son, has received a sum of Rs.7,65,000/- and thereafter, the petitioner neither secured job nor returned the money and thereby cheated the defacto complainant. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in the case. He further submitted that in the year 2013, the petitioner had actually approached the defacto complainant and obtained hand loan of Rs.7,50,000/- for purchase of agricultural equipments, out of the said amount, the petitioner has repaid a sum of Rs.1,00,000/- by cash and for remaining payment, he sought time. However, the defacto complainant had given a false complaint. Pursuant to which, the petitioner has filed a petition seeking anticipatory bail in Crl.O.P. No.13515 of 2015 and the matter was referred before the Mediation and Conciliation Centre. Before the Mediation, the petitioner has paid the entire money. The defacto complainant, in order to grab more money, has refused to withdraw the said complaint and started demanding further sum of Rs.1,00,000/-. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, he affirms that as per the direction passed in Crl.O.P. No.13515 of 2015, the petitioner has settled a sum of Rs.9,25,000/- and the balance amount has not been settled till date.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Considering the aforesaid facts, nature of allegations, the fact that FIR was registered in the year 2015 and since custodial interrogation of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is 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 was made ready, before the learned **Judicial Magistrate No.I, Tiruvannamalai**, on condition that



the petitioner shall execute separate bond for a sum of **Rs.10,000/-** **(Rupees Ten Thousand only)** each 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 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;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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*** reported in [(2005)AIR SCW 5560];



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[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of B.N.S.

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To

- 1.The Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
2. The Judicial Magistrate No.I, Tiruvannamalai.
3. The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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