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Crl.O.P.No.26731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26731 of 2025

N.Palani Kumar

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
CCB, EDF-II Branch Avadi.
Crime No.95 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.95 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.A.Natarajan Senior Advocate for Mr.C.P.Palanichamy
For Respondent	:	Mr.S.Udayakumar Government Advocate (Criminal Side)
For Intervenor	:	Mr.R.Thirumoorthy



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 406 of IPC in Crime No.95 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner has received a sum of Rs.86 lakhs from the defacto complainant and family members by stating that he is ready to sell the petrol bunk run by him, subsequently instead of handing over the petrol bunk to the defacto complainant, petitioner has sold the same to other person. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the FIR is very clear that the transaction taken place is a business transaction and there is no criminality involved in it. He further submitted that the transactions were taken place in the year 2017 to 2018 and subsequently cheques were handed over to them which has been reflected in the FIR. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner stating that the



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petitioner had cheated the defacto complainant to the tune of Rs. 86 lakhs.
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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that that the transactions were taken place in the year 2017 to 2018 and subsequently cheques were handed over to the defacto complainant. However, he opposed for grant of anticipatory bail to the petitioner.

6. Heard the learned counsels on either side and perused the materials available on record.

7. Considering the submissions made by the learned counsels on either side and the fact that the that the transactions were taken place in the year 2017 to 2018 and subsequently cheques were handed over, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date



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of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Thiruvallur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 ten 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 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by



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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.

06.10.2025

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To

- 1.The Judicial Magistrate No.I,
Thiruvallur.
- 2.The Inspector of Police,
CCB, EDF-II Branch Avadi.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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