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Crl.O.P.No.26838 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.26838 of 2025

Mohamed Sardar

... Petitioner

Vs.

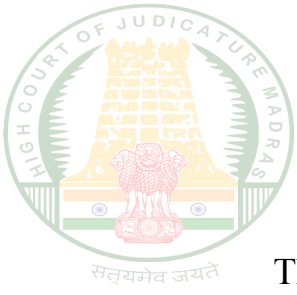
The State Rep. By,
The Sub Inspector of Police,
Thiyagadurgam Police Station,
Kallakurichi District.
Crime No.355 of 2025

... 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.335 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.G.Vigneshwaran
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER



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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420, 120(B), 506(1) of IPC in Crime No.335 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner/A2 is that, he joined with A1 and collected a sum of Rs.13 lakhs from various persons on the ground of getting employment in Singapore and subsequently cheated them. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that petitioner is the father of A1 and he has not collected any amount and further submitted that A1 was arrested and released on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that from the amount received from the defacto complainant, petitioner had purchased a lorry in his name. Hence, he opposed for grant of anticipatory bail to the



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

6. Considering the submissions made by the learned counsels on either side and the fact that the co-accused was arrested and released on bail, 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 his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Kallakurichi**, 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



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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 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

- 1.The Judicial Magistrate No.2,
Kallakurichi.
- 2.The Sub Inspector of Police,
Thiyagadurgam Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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