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Crl.O.P.No.30665 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30665 of 2024

1.Balasubramaniam
2.Revathi Balasubramaniam
3.Jeeva Balasubramaniam

Petitioner(s)

Vs

State rep. by,
The Inspector Of Police
Salem Town Crime,
Salem City Police Station.
Crime No.34 of 2024

Respondent(s)

For Petitioners:

Mr.Sivaram Tanjore Ramanathan

For Respondent:

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.34 of 2024 registered for the offences punishable under Sections 120(B), 420 and 506(i) of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication



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in the case, learned counsel for the petitioners seeks indulgence of this court.

He would submit that the case of financial dispute has been falsely projected as a case of job racketing. He would submit that, as per the prosecution, the defacto complainant has alleged that an amount of Rs.18 lakhs has been sent by way of bank transaction and the balance amount of Rs.7 lakhs has been paid by cash. He would submit that the financial transaction is only in respect of Rs.18 Lakhs and the petitioners are jointly ready to deposit 50% ie. Rs.9,00,000/- (Rupees Nine Lakhs only) of the amount, to the credit of crime number 34 of 2024. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for the grant of anticipatory bail, is that, the petitioners induced the defacto complainant on the false assurance of getting Government job as an Office Assistant in the District Collectorate Office, Salem had received an amount of Rs.25 Lakhs and cheated the defacto complainant.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail



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to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.1, Salem**, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled, and **at the time of surrender the petitioners shall jointly deposit a sum of Rs.9,00,000/- (Rupees Nine Lakhs Only) to the credit of Crime No.34 of 2024 and on such deposit being made, the learned Magistrate shall deposit the same in any of the nationalised bank fetching interest and the disposal of the deposited amount along with interest accrued shall be decided at the end of the trial;**

[b] the petitioners shall report before the respondent police everyday at 06.30 p.m., until further orders,

[c] the petitioners shall not tamper with evidence or



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witness either during investigation or trial;

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[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560]**;

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

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