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Crl.OP.No.26706 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26706 of 2025

SA.Jayakanthan

... Petitioner/A1

Vs.

State rep by
The Sub Inspector of Police,
Sankagiri Police Station,
Salem.
(Cr.No.396 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of the arrest in connection with Cr.No.396 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.Jayavigneshwari

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner herein / A1, who apprehends arrest at the hands of the respondent for the alleged offence under Section 420 of IPC in Crime No.396 of 2025, seeks anticipatory bail.



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2.The allegation against this petitioner is that this petitioner joining hands with other accused collected a sum of Rs.13,65,000/- from the defacto complainant on the promise of getting job in the Government Cement Factory for his son. Thereafter, the accused persons neither get the job and nor returned the money. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has has been falsely implicated in this case. He further submitted that the petitioner is only an introducer of the victim to A2, who is the main accused in this case and A2 has collected the entire money from the defacto complainant. He submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays 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 the petitioner herein has received a sum of Rs.65,000/- from the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready to deposit a sum of Rs.65,000/- to the credit of Crime No.396 of 2025 before the Judicial Magistrate – I, Sankari, Salem District, 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 fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate – I, Sankari, Salem District**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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;



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[b] the petitioner is directed to deposit a sum of Rs.65,000/- (Rupees Sixty Five Thousand only) to the credit of Crime No.396 of 2025 before the Judicial Magistrate – I, Sankari, Salem District and shall produce the receipt before the Court concerned at the time of executing sureties.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for the 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.

14.10.2025

smv



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- To
- 1.The Sub Inspector of Police,
Sankagiri Police Station,
Salem.
 - 2.Judicial Magistrate – I, Sankari, Salem.
 - 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

smv

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