



Cr1.O.P.No.27107 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Cr1.O.P.No.27107 of 2025

Ravi Shankar Bharti

... Petitioner

Vs.

The State Rep. by
The Inspector of Police
Thazhambur Police Station,
Pallikaranai, Chennai.
(Crime No.119 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of arrest for offences under Section 409, 420, 467, 471 of IPC r/w 120 (B) of the Indian Penal Code in Crime No.119 of 2022, on the file of the Respondent.

For Petitioner : Mr.Abdul Saleem
For Mr.M.Vijayamehanath
For Respondent : Mr.S.Santhosh
Government Advocate (Cr1. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 409, 420, 467, 471 of IPC r/w 120(B) of the Indian Penal Code, in Crime No.119 of 2022, on the file of the respondent police, seeks anticipatory bail.

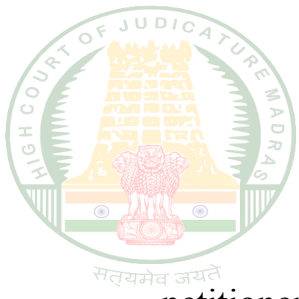


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2.The case of the prosecution is that the de-facto complainant, who is engaged in the construction business, became acquainted with A1 and A2 through one Thanikachalam (A4). The de-facto complainant sought financial assistance to expand his business. Taking advantage of this situation, the accused falsely promised to secure an investment of Rs.30 crores from a Mumbai-based company. By showing an original demand draft for Rs.9 crores as if it were the first installment, they received a total of Rs.6.25 crores through two separate accounts. However, with the intention to cheat the de-facto complainant, the accused later cancelled the said demand draft and thereby cheated him. When the de-facto complainant demanded repayment of the amount paid, the accused evaded him. Hence, the present case has been registered.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case; that the petitioner has not committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the



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petitioner.
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4.Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

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

6.By an order dated 28.02.2025, this Court passed an order regarding culpability involved on the part of A1 & A4, and the said order is extracted hereunder:-

6. That apart, even while approaching A1 to A4, they had shown the demand draft in favour of the financial assistance to the tune of Rs.9 Crore. No prudent person would agree to pay a commission to the tune of Rs.6.25 Crores for financial assistance of Rs.9 Crores. If the fourth respondent had Rs.6.25 Crores, definitely, the fourth respondent would not want financial assistance to



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the tune of Rs.9 Crores. That apart, even other allegations do not constitute any offences as alleged by the prosecution. There are no allegations about the fabrication of any records or forging the signature of the fourth respondent.

7. Further, the First Information Report is pending for investigation for more than three years. The first petitioner, being a doctor, is running a hospital in the name of Richy Health Care Private Limited. The entire amount of the hospital has been deposited in the petitioners' bank account and now the petitioners cannot able to operate their account, in view of the request made by the first respondent.

8. That apart, there is no proof to show that the first to third respondents had complied with the provision under Section 102 of Cr.P.C. Further, there are absolutely no materials to show that the petitioners and A1 to A4 had a conspiracy to cheat the fourth respondent. Though the fourth respondent alleged that a sum of Rs.6.25 Crores had been transferred in favour of A1 to A4, there is absolutely no document to show that the amount was transferred in their favour.

9. Even assuming that the said amount was transferred in favour of A1 to A4, it has nothing to do with the petitioners' accounts. The petitioners also



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produced statements of accounts before this Court, which reveal that no amount has been transferred in the petitioners' bank accounts from A1 to A4. Further, there are no materials to connect the petitioners with A1 to A4 or any other accused, including the de-facto complainant, viz., the fourth respondent herein.

10. The complain itself is very vague and does not constitute any offence. If at all there were financial transactions between the fourth respondent and A1 to A4, the fourth respondent ought to have approached the Civil Court for appropriate relief. Unfortunately, on the said complaint, the first respondent registered the First Information Report and requested the second and third respondents to freeze the accounts of the petitioners. Further, the accounts of the petitioners cannot be frozen forever, since the first respondent did not even proceed with any investigation and did not file any final report in Crime No.119 of 2022.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and since, custodial interrogation is not required for the purpose of investigation, this



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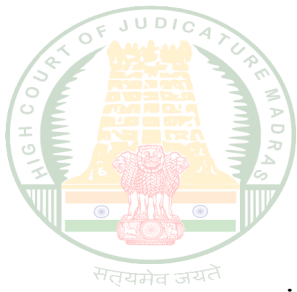
Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate II, Chengalpattu**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees ten 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/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 daily at 05.30.p.m., until further orders;

[c] the petitioner shall not tamper with evidence or



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witness either during investigation or trial.

[d]the petitioner 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 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 [(2005)AIR SCW 5560].

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

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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. *All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will*



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also have a QR code.

To

- 1.The Judicial Magistrate II, Chengalpattu.
- 2.The Inspector of Police
Thazhambur Police Station,
Pallikaranai, Chennai.
- 3.The Public Prosecutor
High Court of Madras.



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N.SENTHILKUMAR, J.

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