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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27900 of 2025

Athiswaran @ Adheeswaran

... Petitioner

Vs.

State Rep by,
Inspector of Police
CCB Police Station,
Salem City.
Crime No.16 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.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.16 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with other accused cheated the defacto complainant to the tune of Rs.47,30,000/- due to the fraudulent activities of Raasi Exports, Jagadeeswaran and Adheeswaran. Hence, this case.

3. The learned Counsel for the petitioner would submit that no offence is made by the petitioner and since he being the brother of the Jagadeswaran. Since, entire transactions are civil in nature. Apprehending arrest, this petition is filed.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the occurrence was of the year 2020-2021 and the FIR was registered only on 10.06.2025. He would further submit that the investigation is still pending and no one is arrested in this case. However, he opposed to grant anticipatory bail to the petitioner.

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

6. I have gone through the FIR and found that the occurrence was of the year 2020-2021. Considering the fact that the dispute is with regard to money transactions, and no one is arrested in this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



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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 IV, Salem**, 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 his 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;



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K.RAJASEKAR, J.

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[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.

13.10.2025

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To

1. The Judicial Magistrate IV, Salem.
2. The Inspector of Police
CCB Police Station,
Salem City.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.27900 of 2025