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Crl.O.P.No.28086 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.28086 of 2025

Raman Nagasai

... Petitioner

Vs.

State Represented by its
The Inspector of Police,
Peravallur Police Station,
Kolathur, Chennai City
Chennai District.
(Crime No.362 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 the petitioner's arrest by the respondent police in Crime
No.362 of 2025, on the file of the respondent Police.

For Petitioner : Mr.S.Arivazhagan

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

For Intervenor : Mr. K.Senthil Kumar



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **406 and 420 of IPC, in Crime No.362 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner by promising to return, collected a sum of Rs.11,91,150/- from the defacto complainant on various dates and subsequently failed to repay the amount or given profit. Hence, he demanded back the money and the petitioner has repaid a sum of Rs.4,30,000/- and reaming amount was not paid. Further in the year 2024 he also issued cheques to the defacto complainant, the same was also not properly honoured. Hence, the case.

3. The learned counsel for the petitioner submitted that all the transactions taken place during the year between June -2024 to September 2024 and the petitioner also collected the money and invested the same in various business firm since no property has been secured. He further



submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submitted that by giving a sweet coated words, he collected a sum of Rs.11,91,150/- and after persistent demand made by the defacto complainant, the petitioner herein repaid some amount and subsequently, had also issued cheques and the same was also dishonored. Hence, the complaint has been lodged.

5. The learned Government Advocate (Crl.Side) for the respondent police reported that the case was registered in the year May-2025 and so far no money is recovered and the investigation is pending. Hence, opposed to grant anticipatory bail to the petitioner.

6. Considering the fact that the offences taken place between June-2024 to September-2024 and the petitioner collected the money for developing a business and with the promise that he will share profit with the defacto complainant and the same has not been honoured and part of the



amount already repaid and for the remaining amount cheques were also issued, the custodial interrogation is not necessary. Accordingly, 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 **V Metropolitan Magistrate Court, Egmore, Chennai-08**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 fifteen days from 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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K.RAJASEKAR, J.

dna

To

1.The V Metropolitan Magistrate Court, Egmore,
Chennai-08.

2.The Inspector of Police,
Peravallur Police Station,
Kolathur, Chennai City
Chennai District.
(Crime No.362 of 2025).

3.The Public Prosecutor,
High Court of Madras.

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6/6