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CRL OP No. 28073 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

**CRL OP No. 28073 of 2025
and MP.No.19293 of 2025**

K.Thangadurai

Petitioner

Vs

The State Represented by
The Inspector of Police,
Cheyyar Police Station,
Cheyyar,
Thiruvannamalai District.
Crime No.359/2025

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 apprehending arrest in Crime No. 359 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.G.Senthilkumar

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

For Intervener : Mr.V.R.Appaswamee

ORDER

The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable under Section 318(4)



of BNS in Crime No.359 of 2025, seeks anticipatory bail.

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2.The allegation against the petitioner, who is ranked as A2, is that the defacto complainant used to borrow money from A1's father. During those transactions, the complainant had given 88 blank cheques and 100 promissory notes, which were in the possession of A1's father and after his death, instead of handing over the cheques and promissory notes to the defacto complainant, the petitioner along with other accused persons misused the same. It is further alleged that the accused encashed the cheques, threatened the defacto complainant to repay the money and also initiated legal proceedings against him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the defacto complainant is a relative of the petitioner, considering the relationship, in order to develop his business, the petitioner had issued a cheque for a sum of Rs.9 lakhs to the defacto complainant. However, when the cheque



was presented, it was dishonoured. He further submitted that he 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 Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner along with other accused persons had misused the blank cheques and promissory notes belonging to the defacto complainant and initiated false proceedings to extort money. He further submitted that the investigation is at initial stage and custodial interrogation of the petitioner is necessary to recover the documents. Hence, he prays for dismissal of the petition.

5. Learned counsel for the intervener would submit that the cheque was misused by A1, in collusion with other accused persons and after dishonour of the cheque, they also filed cheque bounce cases in various jurisdictions with an intention to harass



the defacto complainant. Hence, he opposes to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

7. It is admitted by the defacto complainant that he handover the blank cheque and promissory notes to A1's father and the same was misused by A2 in collusion with other accused, since the custodial interrogation is not required for the purpose of investigating this case, hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Cheyyar, Tiruvannamalai District***, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees



Twenty Five Thousand Only), each 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 and on further condition that:

(a) 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 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or 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



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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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

16-10-2025

drl

To

1.The Judicial Magistrate,
Cheyyar, Tiruvannamalai District.

2.The Inspector of Police,
Cheyyar Police Station,
Cheyyar,
Thiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.

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