



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28733 of 2025

Premkumar

Petitioner(s)

Vs

State Rep.By The Inspector Of Police
Sankari police station, Salem district.
Crime No. 396/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Cr.No. 396/2025 pending investigation on the file of the respondent.

For Petitioner(s): Mr.T.Dhasarathan

For Respondent(s): Mr.A.Gopinath, GA (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.09.2025, for the alleged offence punishable under Sections 420 of IPC in Crime No.396 of 2025, on the file of the respondent police, seeks 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. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner/A2 was arrested and he is in judicial custody from 21.09.2025 and the co-accused/A1 who is similarly placed released on anticipatory bail in Crl.OP No.26706 of 2025 dated 14.10.2025. He further submitted that the petitioner is willing to deposit fifty percentage of the amount alleged against him to show his bonafide. Hence, he prayed for grant of 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.13,65,000/- from the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

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.6,50,000/- (Rupees Six Lakhs and Fifty Thousand Only) 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;

[b] the petitioner is directed to deposit a sum of Rs.6,50,000/- (Rupees Six lakhs and fifty 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



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CRL OP No. 28733 of 2025



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.

30-10-2025

Gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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 also have a QR code.**



To

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1. The Inspector Of Police
Sankari police station, Salem district.
2. The Judicial Magistrate -I,
Sankari, Salem District.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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CRL OP No. 28733 of 2025



K.RAJASEKAR J.

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**CRL OP No. 28733 of
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30-10-2025