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CRL OP No. 31870 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31870 of 2025

1. Dhanasekar @ Dhanasekaran

2. Vikensh @ Vignesh

Petitioner(s)

Vs

The State Rep. by
The Inspector of Police, Chinnasalem
Police Station, DCB Kallakurichi
(Investigation Agency) Kallakurichi
District. Crime No. 361/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in connection with Crime No. 361 of 2025 on the file of the Respondent Police.

For Petitioner(s): Mr.U Kathiravan

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

**ORDER**

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 420, 294(b), 506(i) of IPC, in Crime No.361 of 2025 seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a construction company in the name and style of Sri Chakara construction and the petitioners had supplied materials i.e centering plates and some other equipments for rental purpose which amounts to Rs.45,00,000/-. Thereafter, the petitioners neither returned the construction materials nor paid the amount. Hence, the case.

3. The learned Counsel for the petitioners submitted that they have returned more than 60% of the materials and the same was also acknowledged by the defacto complainant and a false case has been foisted against the petitioners. He further submitted that the petitioners is ready to abide by any stringent conditions that may imposed by this Court. Hence, he seeks for grant of bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the



properties were recovered and the co-accused/A1 has already granted bail by this Court in Crl.OP No.31061 of 2025 dated 13.11.2025. However, he vehemently opposed to grant bail to the petitioners.

6.Taking into consideration of the facts and circumstances of the case, the nature of allegation against the petitioners, the submissions made by the learned counsels on either side, the properties were recovered, and the fact that the co-accused/A1 has already granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate-II, Kallakurichi***, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty 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 petitioners shall report before the respondent



police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

24-11-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The State Rep. by
The Inspector of Police, Chinnasalem
Police Station, DCB Kallakurichi
(Investigation Agency) Kallakurichi
District. Crime No. 361/2025.
2. The Judicial Magistrate No-II,
Kallakurichi.
3. The Public Prosecutor,
High Court of Madras.



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