



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32758 of 2025

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Petitioner(s)

Vs

State by The Inspector of Police
Villupuram West Police Station,
Villupuram District. Crime No.250 of
2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Anticipatory bail in the event of their arrest, pending investigation in Cr.No.250/2025, on the file of the Vilupuram West Police Station, Villupuram District.

For Petitioner(s): Mr.D Ashok Kumar



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For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(4) of BNS, 2023, in Crime No.250 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The allegation against the petitioner is that, the petitioner while working as an in-charge of the Restaurant, he misappropriated Rs.5,00,000/- belonging to the defacto complainant through a Gpay scanner. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner worked under the defacto complainant for years, and his bank account was used to collect money, which was immediately transferred to the defacto complainant and the complaint was lodged after he attempted to open a new shop, hence he prayed for the grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) for the respondent police reported that the petitioner misappropriated Rs.5,00,000/- belonging to the defacto complainant by using his Gpay scanner, and investigation is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.I have gone through the statement of accounts made by the petitioner from 02.11.2023 to 16.06.2025 and it reveals that various transactions were taken place between the defacto complainant and the petitioner's account, it requires statistical comparison to verify what is the total amount has been misappropriated and the repayment details, however at this stage I am of the view that the petitioner is entitled for the grant of anticipatory bail and accordingly, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions:

6. 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 is made ready, before the **learned Judicial**



Magistrate No.I, Villupuram, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 three 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 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]**;



[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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- 1.State by The Inspector of Police
Villupuram West Police Station,
Villupuram District. Crime No.250 of
2025.
- 2.The Judicial Magistrate-I,
Villupuram.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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