



Crl.O.P.No.34595 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34595 of 2025

1.Mohan Raj
2. Santhosh

... Petitioners

Vs.

State By,
The Inspector of Police,
M-4, Redhills Police Station,
Chennai.
Crime No.746 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.746 of 2025 on the file of the respondent police.

For Petitioners : Mr.Balaji
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



Crl.O.P.No.34595 of 2025

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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) & 506(ii) of IPC in Crime No.746 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that they have collected sum of Rs.13,06,000/- from the defacto complainant for meeting the personal expenses and letting the house for lease and subsequently failed to return back the money and also not leased out the properties of the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that, there is a money transaction taken place between the parties and the defacto complainant has to pay the money, to suppress the same, false complaint has been lodged. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he



Crl.O.P.No.34595 of 2025

prays for dismissal of the petition.

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5. Considering the facts and circumstances of the case and the fact that there is a money transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on is appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Ponneri** on condition that each of the petitioners 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, and on further condition that:

[a] if the petitioners 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



Crl.O.P.No.34595 of 2025

Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners 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;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

17.12.2025

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Crl.O.P.No.34595 of 2025

To
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- 1.Judicial Magistrate No.II, Ponneri.
- 2.The Inspector of Police,
M-4, Redhills Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.34595 of 2025

K.RAJASEKAR, J.

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Crl.O.P.No.34595 of 2025

17.12.2025