



CRL OP(MD). No.1740 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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1.Rajaselvan

2.Rajaprasath @ Rajaprakash

... Petitioners / Accused Nos.1 & 2

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
DCB,
Dindigul District.
(In Crime No.14 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.A.Balaji

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

For Intervenor : Mr.B.Narayana Ram

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.14 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent



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police for the offences punishable under sections 409, 418, 420, 467, 468 & 471 of IPC
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in Crime No.14 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was running a super market under the proprietorship in the name and style of Star Super Market from the year 2017. The first petitioner approached the defacto complainant to join as a partner in the said company and pursuant to the same, the first petitioner made the second petitioner as one of the partner of the defacto complainant's company. Thereafter, due to physical ailments, the defacto complainant handed over the aforesaid super market to the petitioners. In the meanwhile, the petitioners along with other accused have misappropriated to the tune of Rs.1,20,00,000/- as well as taken away the cheques kept in the super market. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the accused Nos.3 & 4 were granted anticipatory bail by this Court vide order dated 24.01.2025 in CrI.O.P.(MD)No.1383 of 2025. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that as per the direction issued by this Court, the



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petitioners are regularly appearing before the respondent police and almost, investigation has been completed. Therefore, custodial interrogation is not necessary.

5. The learned counsel appearing for the intervenor strongly opposes to grant anticipatory bail to the petitioners.

6. Considering the facts and circumstances of this case and considering the fact that accused Nos.3 & 4 were granted anticipatory bail by this Court vide order dated 24.01.2025 in CrI.O.P.(MD)No.1383 of 2025 and considering the stage of the investigation, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left



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Thumb Impression in the surety bond and the Magistrate may obtain a copy of their
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Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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 of BNS 2023.

Sd/-

08/05/2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai



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To

1. The Judicial Magistrate No.II,
Dindigul.
- 2.Do Through
The Chief Judicial Magistrate,
Dindigul.
3. The Inspector of Police,
DCB,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.BALAJI, Advocate (SR-5441[I] dated 09/05/2025)

ORDER
IN

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Date : 08/05/2025

BV(26/05/2025) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.