



CRL OP(MD). No.2491 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2491 of 2025

Selvaganesh

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
District Crime Branch (DCB),
Trichy District.
(Crime No. 15 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.M.Rajarajan

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

For Intervenor : Mr.M.Karthikeya Venkatachalapathy

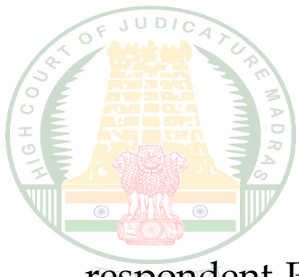
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 15 of 2023 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioner/Accused No.3 apprehends arrest at the hands of the



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respondent-Police for the offences punishable under Sections 406, 420, 294(b), 506(i) and 120B of IPC in Crime No.15 of 2023 on the file of the respondent-police

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3. The case of the prosecution is that the accused persons had assured to deliver solar panel products to the defacto complainant within a specific time, for which the defacto complainant had paid a huge amount of Rs.9,65,61,007/-. After receiving the said amount, the accused persons did not deliver the solar panel products to the defacto complainant. However, only a sum of Rs.88,55,683/- was returned by A1 and A2. The accused persons did not return the balance amount of Rs.8,77,05,324/- and the solar panel products till now. Hence, this case.

4. Mr.M.Rajarajan, learned counsel appearing for the petitioner, submits that this is the fourth pre-arrest bail application of the petitioner. He further submits that the petitioner is an innocent person and he is in no way connected with this crime. He further submits that the petitioner is a broker and he received a sum of Rs.10,000/- only as brokerage and the petitioner has been falsely implicated in this case. He further submits that in earlier occasions, charge sheet was not filed and therefore, the pre-arrest bail applications were dismissed. But, now the charge sheet was filed. He further submits that in view of the change of circumstances, the custody of the petitioner may not be necessary. Hence, he prays to grant an order of pre-arrest bail.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side)



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appearing for the respondent-Police, submits that the huge amount i.e., Rs.8,77,05,324/- is involved in this crime. He further submits that though the charge sheet has been filed, the custody of the petitioner is necessary to unearth the entire truth. If the petitioner is released on bail, there is a possibility of absconding and thereby, delay the trial proceedings. Further, the petitioner will try to cause threat to the defacto complainant and other witnesses. Hence, he prays to dismiss this Criminal Original Petition.

6. In the previous pre-arrest petition filed by the petitioner in Crl.O.P(MD) No.16980 of 2023, this Court, vide order dated 27.09.2023, observed that the petitioner also actively involved in the crime. The amount involved in this case is huge. Though charge sheet has been filed, the further custody of the petitioner is necessary. If not, the petitioner may abscond and may cause threat to the witnesses and thereby, cause delay the trial.

7. Therefore, this Court is not inclined to grant pre-arrest bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

sd/-
24/02/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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APD जयदे
TO
WEB COPY

1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH (DCB),
TRICHY DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-2043[I]
dated 25/02/2025)

ORDER IN
CRL OP(MD) No.2491 of 2025
Date :24/02/2025

SA/SKN/SAR. /14.03.2025/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.