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Crl.OP.No.527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.527 of 2026

Chaitanya Puthalapattu

... Petitioner

Vs.

The State represented by
The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chennai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail, in the event of
his arrest, concerned in Cr.No.125 of 2025 on the file of the respondent
police.

For Petitioner : Mr.Prakasam Jaganathan

For Intervenor : Mr.R.Vinoth Kumar

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under
Sections 406 and 420 of IPC in Cr.No.125 of 2025 on the file of the
respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that he collected a sum of Rs.12,00,000/- from the defacto complainant as a business investment and subsequently failed to either pay the promised profit or repay the said amount. Hence, the complaint came to be lodged.

3. The learned counsel appearing for the petitioner submitted that the amount was collected purely towards a business transaction and that the present case does not constitute an offence of cheating. It was further submitted that due to the failure of the business, the petitioner was unable to generate profits. However, it is not a case of dishonest intention from the inception. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor submitted that the petitioner had collected Rs.12,00,000/- from the defacto complainant, out of which a sum of Rs.8,90,000/- has already been repaid, and the remaining amount is yet to be paid. On the said ground, he opposed the grant of anticipatory bail.

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



of the total amount of Rs.12,00,000/-, a sum of Rs.8,90,000/- has already been settled and the balance amount is yet to be paid. Hence, he vehemently opposed the grant of anticipatory bail.

6. Heard both sides and perused the materials available on record.

7. Considering the nature of the allegations and the fact that a substantial portion of the amount, namely Rs.8,90,000/-, has already been repaid by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate -II, Tambaram** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two **sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) 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;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

21.01.2026

Vv



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To

1. The Judicial Magistrate -II, Tambaram
2. The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chennai District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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