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Crl.O.P.No.970 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.970 of 2026

Porukodi

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police (Crime)
P-6 Kodungaiyur Police Station,
Chennai.
Crime No.634 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail
in the event of his arrest in Crime No.634 of 2025 on the file of the
respondent police.

For Petitioner : Mr.Pandi Meena

For Respondent : M/s.J.R.Archana
Government Advocate (Criminal Side)

For Intervenor : Mrs.J.Bhuvaneshwari

ORDER



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The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 316(2) of BNS, 2023 in Crime No.634 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that, the petitioner had purchased iron scrap from the complainant for a total value of Rs.7,99,537/-. Towards the said purchase, the petitioner had paid Rs.1,75,100/- but, failed to pay the remaining balance amount of Rs.6,24,537/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution; that the petitioner had not received any goods and has produced all the documents before this Court to substantiate his case and further submitted that he need not pay any money to the complainant and that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that investigation in this case is pending.



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5. The learned counsel for the intervenor submitted that though there was no invoice, e-way bills were generated by the defacto complainant and all the transactions were taken place through manual bill and therefore there was no proper bill with the defacto complainant. He further submitted that, petitioner already made part payment and huge amount is yet to be paid. Hence, he opposed to grant bail to the petitioner.

6. Heard the learned counsels on either side and perused the materials available on record.

7. Considering the fact that it is a non-payment of money for the scrap materials supplied by the defacto complainant to the petitioner herein and custodial interrogation is not necessary in this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **X Metropolitan Magistrate Court, Egmore, Chennai**, 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 of the learned

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Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten 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 the identity proofs to ensure their identity;

[c] the petitioner 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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.



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To

1. X Metropolitan Magistrate Court, Egmore, Chennai

2.The Inspector of Police (Crime)
P-6 Kodungaiyur Police Station,
Chennai.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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