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CRL OP No. 1157 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 1157 of 2026

Kannan
S/o.N.Karuppiah,
Door No.2/479, Nethaji Nagar,
Padiyanallur,
Chennai – 600 052.

.. Petitioner

Vs

State rep by The Inspector of Police,
M-4 Redhills Police Station,
Red Hills, Thiruvallur District.
(Crime No. 778/2025)

..Respondent

COMMON PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on Anticipatory Bail in the event of his arrest in connection with Crime No. 778 of 2025, pending investigation on the file of the respondent and thereby render justice.

For Petitioner(s): Mr. Krishnan Perumal

For Respondent(s): MR.P.DHILEEPAN.
GOVT.ADVOCATE (CRL SIDE)

For Intervener: Mr.M.Velmurugan

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 316(2), 318(4) and 351(2) of BNS Act, 2023 in Crime No.778 of 2025 on the



file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant, a supplier of construction materials, supplied gravel, sand and murambu to A2 in 2023 at the request of the petitioner, for a total value of Rs.1,60,57,170/-. Out of this, Rs.39,00,000/- remains due, and an additional sum of Rs.10,00,000/- paid by the complainant has not been repaid. When repayment was demanded, the accused allegedly threatened the complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the occurrence took place on 05.05.2025 and that the defacto complainant supplied construction materials to the tune of Rs.1,60,57,000/-. It is further submitted that the petitioners has repaid Rs.1,21,00,000/- and that only a sum of Rs.40,00,000/- remains due. Hence, the present complaint has been lodged, and the petitioners seek anticipatory bail.

4. The learned counsel for the intervener submitted that, even after this Court directed the petitioner to settle the matter, no settlement has been reached. Even the cheque issued for Rs.5,00,000/- was dishonoured. He further submitted that the petitioner inflated the contract amount and thereby induced the complainant to supply materials to the tune of Rs.1,60,57,000/-. If the true facts were known, the complainant would not have supplied such materials.



Therefore, it is argued that the petitioner had an intention to cheat from the beginning and does not deserve anticipatory bail.

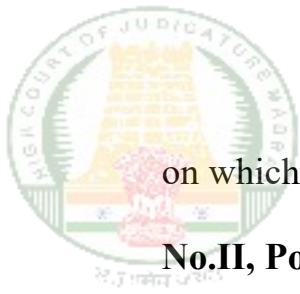
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5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are two accused in this case and the petitioner is ranked as A1. He further submitted that unless the petitioner is taken into custody, recovery of the amount would be very difficult. Hence, he opposed the grant of anticipatory bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. While looking at the factual position, the occurrence took place on 05.05.2025, whereas the FIR was registered only on 06.12.2025 and considering that the offences are under Sections 316(2), 318(4) and 351(2) of BNS, custodial interrogation of the petitioner is not required. Hence, **this Court is inclined to enlarge the petitioner on anticipatory bail**, 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 is made ready, before the **learned Judicial Magistrate No.II, Ponneri**, on condition that **the petitioner shall execute a separate 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned 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 15 days 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]***;



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

16-04-2026

DRL

To

1.The Judicial Magistrate No.II,
Ponneri.

2. The Inspector of Police,
M-4 Redhills Police Station,
Red Hills,
Thiruvallur District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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