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CRL OP No. 14561 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14561 of 2026

Mohan Raj
S/o. Selvam,
No. 2/167 Sarakkapillaiyur post, Tumbipadi,
Salem-636305.

..Petitioner(s)

Vs

The State Rep. by Inspector of Police
CCB Police Station,
Crime No.1/2026
Salem City.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to the petitioner in the event of his arrest or on his appearance before any court in connection with the case in Crime No.01 of 2026 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s): M/S. K. Sathish Kumar

For Respondent(s): MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 420 and 120B of IPC, in Crime No.01 of 2026 on the file of the respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioners 1 to 4, who were running a real estate business, induced the defacto complainant to invest a sum of Rs.30,00,000/- on the promise of high returns. The petitioner is arrayed as Accused No.5. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the only allegation against the petitioner is that he acted as a mediator between Accused Nos. 1 to 4 and the defacto complainant, and that no other overt act is attributed to him. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the said fact was not seriously disputed. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the totality of the circumstances and the overt act pleaded



against this petitioner, which is not so serious, and upon the fact that the alleged occurrence took place in the year 2023, at this length of time, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. 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.2, Salem**, 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 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 two weeks and**



thereafter as and when required for interrogation.

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

23-06-2026

DRL

To

1.The Judicial Magistrate No.2,
Salem.

2.Inspector of Police
CCB Police Station,
Salem City.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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