



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.26605 of 2025

1. S.Syed Usman
2. Dhamodharan Balachandran
3. Hitesh Kumar

... Petitioner

Vs.

The Inspector of Police,
Villupuram DCB,
Villupuram District.
(Crime No.18 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant the petitioners anticipatory bail in the event of their arrest by the respondent in Villupuram DCB Crime No.18 of 2023 pending investigation on the file of the respondent police.

For Petitioners : Mr.Haja Mohideen Gisthi
For Intervenor : Mr.M.Santhanaraman
For Respondent : Mr.Udayakumar,
Government Advocate (Crl. Side).

ORDER

The petitioners, who were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b), 506(i) & 120B of IPC in Crime No.18 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioners is that, by joining with other accused, they were involved in starting an online trading company in the name of 'Hashpe' and collected money by promising high returns under various schemes. In this case, it is alleged that a sum of Rs.40,00,000/- was collected from seven victims. Hence complaint.

3. The learned counsel for the petitioners would submit that no specific overt act has been attributed to the petitioners and that they have been falsely implicated in the present case. He would further submit that the petitioners are ready to pay a sum of Rs.6,00,000/- without prejudice to their rights and contentions and only for the purpose of obtaining anticipatory bail. Hence, he prayed for anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor would submit that the petitioners have bad antecedents and are involved in similar offences. Hence, he opposed to grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the amount involved is Rs.40,00,000/-,



no recovery has been made and the investigation is pending. Hence, he opposed to grant of anticipatory bail to the petitioners.

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

7. I have also gone through the earlier orders passed against the petitioners. It is seen that the petitioners are involved in certain cases, in which final reports have been filed and they were arrested and released on bail. Considering the above facts, and taking note of the fact that the amount involved is Rs.40,00,000/- and that the other accused have already been arrested and released on bail, hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the *learned Judicial Magistrate – I, Villupuram* on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned



Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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[a] the petitioners shall deposit a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) each to the credit of Crime No.18 of 2023 before **the Judicial Magistrate – I, Villupuram.** The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

(b) If the petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[c] 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;

[d] **the petitioners shall report before the respondent Police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;**

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

02.01.2026

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To

1. The Inspector of Police,
Villupuram DCB,
Villupuram District.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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