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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 27939 of 2026

CNR: {HCMA012301492026}

Rajasekar

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Thirunindravur Police,
Crime No.270 of 2026
Avadi District police.

..Respondent(s)

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, to enlarge the petitioner accused on bail in the event of his arrest by the respondent police pending investigation in Crime No.270 of 2026.

For Petitioner(s): Mr.Suriyamuthu N
For Intervenor: Mr.S.Veerapandian

For Respondent(s): Mr. R. Rajasekaran,
Government Advocate (Crl.side)

ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 79, 351(2), 351 of BNS and Section 4 of Woman Harassment, in Crime No.270 of 2026 on the file of the respondent Police, has approached this Court seeking anticipatory bail.

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2.The prosecution case is that the defacto complainant, Irudayamary, alleges that the petitioner Rajasekar, received a sum of Rs.20,00,000/- from her on the promise of securing a Government job for her son. However, he failed to fulfil his promise. When she demanded repayment and lodged a complaint against him, the accused allegedly contacted her over the phone, abused her in filthy language and threatened her with dire consequences. Hence, she lodged the present complaint based on which the case was registered against the petitioner and other accused.

3.The learned counsel for the petitioner submitted that the petitioner is innocent, has been falsely implicated in this case and has not committed any offence as alleged by the prosecution. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioner.

4.The learned counsel for the Intervenor submitted that the petitioner received a sum of Rs.20,00,000/- from the defacto complainant on the promise of securing a government job; however, he failed to fulfil his promise. It is further submitted that when the defacto complainant demanded repayment and lodged a complaint against him, the accused allegedly contacted her over the phone, abused her in filthy language, and threatened her with dire consequences. Hence, the learned counsel strongly opposed the grant of

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anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that the defacto complainant had transferred Rs.20,00,000/- to the petitioner, who had promised to secure a Government job for her. Subsequently, the accused allegedly abused and threatened her over the phone. Hence, a case was registered against him. It is further submitted that the petitioner's earlier anticipatory bail petitions and quash petition had been dismissed, that he was absconding and that the investigation was still pending. The accused is yet to be secured and further witnesses are to be examined. Therefore, there is a possibility of his absconding, tampering with evidence and threatening witnesses. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.

6.This Court heard both sides and perused the materials available on record.

7.Considering the nature of the allegations, the materials collected so far and the stage of investigation, this Court is of the firm view that the petitioner can be enlarged on anticipatory bail, subject to stringent conditions. The apprehension of the prosecution that the petitioner may abscond or tamper with the evidence can be addressed by imposing appropriate conditions. Hence, this

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Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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, Thiruvallur,** on condition that **the petitioner 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 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 am 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

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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.

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GBI

To

1.The Judicial Magistrate No.II, Thiruvallur.

2.The Inspector of Police
Thirunindravur Police,
Avadi.

3.The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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