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CRL OP No. 32895 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CRL OP No. 32895 of 2025

1. Praveen Kumar
2. Venkata Reddy

..Petitioner(s)

Vs

The State Rep. by
The Inspector of Police,
V-6 Kolathur Police Station,
Chennai -600 009.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the Petitioners/Accused on Anticipatory bail in Crime No 145 of 2025 on the file of the respondent police.

For Petitioner: Mr.A.Arun Prasanth

For Intervenor: Mr.M.Govindaraju

For Respondent: Ms.J.R.Archana, GA (Crl.Side)



ORDER

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The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 315(2), 318(2), 319(2), 336(2), 336(3), 338 and 340(2) of BNS in Crime No.145 of 2025 seek anticipatory bail.

2. The allegation against the petitioners (A1 and A2) is that they collected a sum of Rs.73 lakhs from nine victims on the promise of sending them abroad for medical education. Further they collected a sum of Rs.9 lakhs from the defacto complainant as a loan and thereby cheated the victims to the tune of 82 lakhs. Hence, the present case has been registered.

3. The learned counsel for the petitioners submitted that certain amounts were collected from the defacto complainant, who was also functioning as an agency for procuring students, and the same were forwarded to A1 and A2. It is further submitted that entire amount collected was remitted directly to the concerned college where the students secured admission. It was further submitted that in respect of some students who did not join the college, the amounts have either been repaid or the petitioners are ready and willing to repay the same if any grievance is raised. Therefore, the learned counsel prayed for the grant of anticipatory bail to the petitioners.



4. The learned counsel appearing for the intervenor submitted that eight more students are to be added as victims in this case and that they hail from the state of Kerala, due to which they are unable to appear before this Court. On their behalf, the defacto complainant has raised objections and sought time to advance his submissions.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the majority of the amount was paid directly to the college account towards admission of the students. She also stated that certain amounts collected by the petitioners have been repaid to the victims. The names of the victims are mentioned in paragraphs 7 and 8 of the counter filed by the respondent, which refers to the list of the nine victims submitted by the defacto complainant before this Court. It is revealed that out of nine victims, five have already settled and it is also stated that the other accused have made direct payments.

6. Considering the above facts and circumstances of the case, this Court is of the view that if the defacto complainant have any subsisting claim for payment, he as to work out his remedy in the manner known to law and not by initiating criminal proceedings.



7. Accordingly, the interim anticipatory bail granted to the petitioners on 09.12.2025 is made absolute, subject to the following conditions:

[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

JAI

09-02-2026



To

1. The Inspector of Police,
V-6 Kolathur Police Station,
Chennai -600 009.
2. The XIII Metropolitan Magistrate, Egmore.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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