



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 15789 of 2026

Sophia Lourdu Joice,
W/o. Suresh Kumar,
No.12, Albin Nagar Part 3,
Naduveerapattu,
Varadharajapuram,
Kancheepuram - 600044.

..Petitioner(s)

Vs

The State Rep. By The Inspector of Police
Chit and Usurious Loan Investigation Section,
Central Crime Branch,
Vepery, Chennai - 600007.

..Respondent(s)

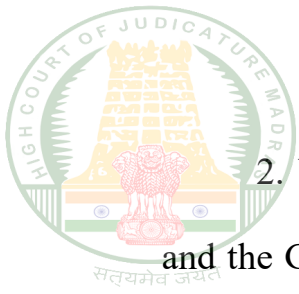
Prayer: Criminal Original Petition filed under Section 528 of BNSS, to set aside the Order passed by the learned XXXI Metropolitan Magistrate (Addl. Court for Exclusive Trail of CCB Cases, at Egmore) in Crl.M.P.No.4554 of 2026, dated 08.06.2026 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case.

For Petitioner(s): Mr.F.Wellington

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl. Side)

ORDER

The prayer in the Criminal Original Petition is to set aside the order dated 08.06.2026 made in Crl.MP.No.4554 of 2026 thereby, cancelling the bail granted to the petitioner.



2. Upon hearing the arguments of the learned counsel for the petitioner and the Government Advocate (Crl. Side), the gist of allegations in this case is that the petitioner and her husband floated an attractive scheme lured the victims and also taken money from them by way of borrowal. Though initially they have given gold coins for two years thereafter, they defaulted and cheated the victims. The total sum of money that is said to have been cheated by the petitioner and her husband amounts to Rs.32,00,000/- along with subsequent interest.

3. While so, it is seen that the petitioner's husband is elusive and is absconding and the Police is not able to trace him out till date. Under the said circumstances, the petitioner was arrested and she was granted bail on 08.01.2026, on condition to deposit the entire amount payable to the victims by depositing Rs.5,25,000/- in alternate month. Accordingly, the petitioner originally deposited a sum of Rs.5,25,000/- as recorded in the bail order and in one alternate month, she deposited another Rs.5,25,000/-. It is submitted that thereafter, she defaulted in the condition and on account thereof, the application for cancellation of bail is moved and the bail is now cancelled. Aggrieved by which, the petitioner is before this Court.

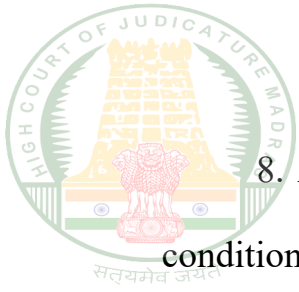
4. The learned Government Advocate (Crl. Side) would submit that when the bail condition is violated, the application is moved and the bail is cancelled.



5. The learned counsel for the petitioner submits that the petitioner was in prison for 33 days, prior to the grant of bail and the petitioner has twin daughters who are now aged 6. The petitioner's husband has also gone away and could not be traced out. The petitioner did her best to comply with the condition by depositing a total sum of Rs.10,50,000/- so far and now she is unable to arrange any further money and therefore, she is before this Court.

6. I have considered the overall facts and circumstances of the case. Though there can be no exception taken to the order of the Trial Court for cancelling the bail for violation of the bail condition imposed inasmuch as the petitioner also did not approach the Trial Court or this Court for modification of the bail condition, but the totality of the circumstances should be taken into. When Rs.32,00,000/- is said to have been the cheated amount and the petitioner has already deposited the sum of Rs.10,50,000/-, it is not that for every violation of the bail condition. The same should result in cancellation of bail.

7. Therefore, considering the humanitarian aspect that is pleaded by the learned counsel for the petitioner that the petitioner has got two daughters who are twins aged about 6 years and that she is unable to master, and considering the fact that already Rs.10,50,000/- is deposited, I am of the view that this case calls for interference by way of passing the orders in the interest of justice by exercising the extraordinary jurisdiction under section 528 of BNS.

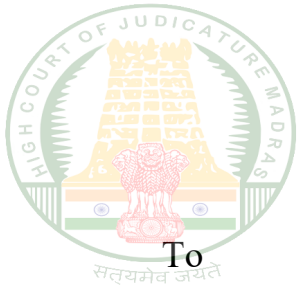


8. Accordingly, this Criminal Original Petition is allowed. The original condition that is imposed on the petitioner while grant of bail in Crl.MP.No.139 of 2026 shall stand modified to the effect directing the petitioner to deposit a total sum of Rs.10,50,000/-. Regarding that, the petitioner has complied with the said condition, the order dated 08.06.2026 made in Crl.MP.No.4554 of 2026, cancelling the bail of the petitioner shall stand set aside.

22-07-2026

Neutral Citation: No

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To

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1. The Inspector of Police
Chit and Usurious Loan Investigation Section,
Central Crime Branch,
Vepery, Chennai – 600007.
2. The learned XXXI-Metropolitan Magistrate,
(Addl. Court for Exclusive Trial of CCB Cases)
Egmore.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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D.BHARATHA CHAKRAVARTHY, J.

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