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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.736 of 2026

Elavarasan

... Petitioner

Vs.

State By,
The Inspector of Police,
Avadi Police Station,
Tiruvallur District.
(Crime No.770 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the Petitioner/Accused on bail in Crime No.770 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Silambuselvan
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.11.2025, for the offence punishable under Sections 316(5), 318(4) of BNS, 2023 in Crime No.770 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner is the owner of a furniture shop. It is alleged that he joined hands with the other accused and, under the guise of providing property loans by projecting the purchase of household articles, cash loans were sanctioned by fabricating records as though the customers had purchased certain articles. In this manner, 34 loans

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were sanctioned to the tune of Rs.13.55 lakhs, which led to the registration of the present FIR. Hence, the case.

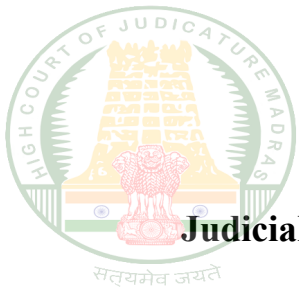
3. The learned counsel appearing for the petitioner submitted that the co-accused had been granted anticipatory bail by this Court in CrI.O.P.No.33541 of 2025 dated 15.12.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the total amount involved is Rs.13.55 lakhs. It was further reported that the loan amounts availed are being regularly repaid by the individuals concerned. He further submitted that the co-accused had been granted anticipatory bail by this Court in CrI.O.P.No.33541 of 2025 dated 15.12.2025. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either, the period of incarceration already undergone by the petitioner and the fact that the loan amounts availed are being regularly repaid by the concerned individuals, and further taking note of the submission that the co-accused has been granted anticipatory bail by this Court in CrI.O.P.No.33541 of 2025 dated 15.12.2025., this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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



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Judicial Magistrate No.2, Poonamallee, and on further conditions that:

[a] 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;

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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];

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

12.01.2026

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



K.RAJASEKAR, J.

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To

1. The Judicial Magistrate No.2, Poonamallee.
- 2.The Inspector of Police,
Avadi Police Station,
Tiruvallur District.
- 3.The Superintendent,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.736 of 2026