



Crl.O.P.No.1320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.1320 of 2025

K.V. Shankaralingam

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCB-1, Police Station,
Chennai District.

(Crime No.291 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in
Crime No.291 of 2023 on the file of the respondent Police.

For Petitioner : Mr.R.T.L.Chandar

For Respondent : Mr.Learned Arul Joseph Selvam
Government Advocate (Crl.Side)



Crl.O.P.No.1320 of 2025

WEB COPY

ORDER

The petitioner stands accused in Crime No.291 of 2023 on the file of the respondent for the offences punishable under Sections 406 and 420 of I.P.C. He was arrested and remanded to judicial custody on 15.11.2024

2. The case of the prosecution is that the petitioner has had commercial transactions with the defacto complainant. According to the defacto complainant, the petitioner received a huge sum of money for construction of house, but failed to do so. For the present, I do not go into the merits of the case.

3. The learned counsel for the petitioner submitted that the petitioner is aged 60 years and he is in custody from 15.11.2024. Hence he seeks for grant of bail to the petitioner.

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

5. Considering the rival submissions made on either side, considering the nature of offences, considering the fact that the petitioner is 60 years and he is in judicial custody since 15.11.2024, further period of incarceration would not solve any purpose, this Court is inclined to grant bail to the petitioner, subject to



CrI.O.P.No.1320 of 2025

the following conditions:

Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai) and CBCID Metro Cases, Egmore and Chennai. and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



Crl.O.P.No.1320 of 2025

WEB COPY

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

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

17.01.2025

mst/smn

To

1. The Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai) and CBCID Metro Cases, Egmore and Chennai.
2. The Inspector of Police, CCB-1, Police Station, Chennai District.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,



CrI.O.P.No.1320 of 2025

High Court of Madras.



WEB COPY



Crl.O.P.No.1320 of 2025

G.R.SWAMINATHAN., J.

mst

Crl.O.P.No.1320 of 2025

17.01.2025