



Crl.O.P.No.2199 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2199 of 2025

Balamurugan

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City.
(Crime No.16 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.16 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. R. Elavarasan

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



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investigation, it reveals that the petitioner colluded with other accused persons, cheated another twenty persons to the tune of Rs.1,46,79,011/- in purchase of garments. He also submitted that no recovery had been made from the petitioner yet and the investigation is pending.

4. In reply, the learned counsel appearing for the petitioner submits that the petitioner had purchased garments from the whole seller/ defacto complainant and distributed the same to the retailers, however, he has not received any money from the retailers, he supplied, therefore, he could not pay money for the garments, he purchased from the defacto complainant in time. He also submitted that the petitioner has requested time from the defacto complainant for payment of the garments supplied, however, the defacto complainant refused and lodged this present complaint. He also further submitted that the petitioner, without prejudice to his contention and to show his bonafide, is ready to deposit a sum of Rs.5,00,000/- to the credit of Crime No.16 of 2024.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the



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materials available on record.

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6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side and voluntary submission made by the learned counsel for the petitioner, to deposit a sum of Rs.5,00,000/- to the credit of Crime No.16 of 2024 and considering the period of incarceration, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate -I, Tiruppur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall deposit a sum of Rs.5,00,000/- to the credit of Crime No.16 of 2024 before the learned Magistrate concerned and on such deposit, the learned Magistrate concerned shall re-deposit the same to any of the Nationalized bank under interest bearing scheme and disburse the same, at the time of completion of the trial.

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned 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]*;



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A.D.JAGADISH CHANDIRA, J.

stn

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

30.01.2025

stn

To

1. The Learned Judicial Magistrate -I,
Tiruppur.
2. The Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City.
3. The Superintendent,
Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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