



Crl.O.P.No.2272 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2272 of 2025

Kabil Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
District Crime Branch,
Tiruvannamalai
(Crime No.12 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.12 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Praveennath

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.12.2024, seeking bail in Crime No.12 of 2024 registered for the offence under Section 420 of IPC.



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2. The case of the prosecution is that the petitioner along with other accused under the guise of running a Monthly Chit Funds, had collected deposits from various persons to the tune of Rs.70,88,410/- failed to repay the same and thereby cheated them.

3. Learned counsel appearing for the petitioner submitted that the petitioner and the defacto complainant and entered into a compromise; and that suppressing the same, in order to grab more money, the defacto complainant had pursued the instant complaint and hence prayed for bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the materials collected by the respondent so far discloses the involvement of the petitioner and that the respondent is yet to file final report.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. The petitioner is in custody for more than 60 days. The final report is yet to be filed. Hence, considering the submissions, nature of allegation against the petitioner, period of incarceration and since further custody is not required for the purpose of investigation, 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, Tiruvannamalai** 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;

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

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

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



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[e] 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]***;

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

04.02.2025

Sma

To

1. The Judicial Magistrate-I,
Tiruvannamalai.
2. The Inspector of Police,
District Crime Branch,
Tiruvannamalai
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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