



Crl.O.P.No. 2622 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2622 of 2025

D.Rajadurai (Rajesh)
S/o. Dharmaraj
No.3/22A, South Street,
Thombakulam
Keelarajakularaman
Virudhunagar District – 626 136

Now at

No.2/7, Balamurugan Street,
Subbulakshmi Nagar
Mettukuppam, Vanagaram
Chennai – 600 095.

... Petitioner/Sole Accused

Vs.

State of Tamilnadu
Rep. by Inspector of Police,
CBCID-South, Erode,
Erode District.
(Crime No. 1 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, pending
investigation in Crime No.1 of 2024, on the file of the respondent police.



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For Petitioner : Mr. C.S.Saravanan
For Respondent : Mr. A.Gopinath
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of Crime No.1 of 2024 registered for the offences punishable under Sections 420, 370(1), 374 of IPC and Section 10 read with 24 of the Emigration Act, is on board for consideration.

2. The case of the prosecution is that defacto complainant was working as a Junior Project Executive at Adidas Company in the year 2023 and that he came to know the petitioner through whatsapp group; that the petitioner introduced himself to the defacto complainant that he is doing Cigarette business and man power agency at Cambodia; that believing the words of the petitioner, the defacto complainant and his friend Rajkumar paid a sum of Rs.25,000/- each for arranging ticket to get employment at Cambodia and accordingly; that the defacto complainant and others were sent to Cambodia; that they were asked to do online job which was a scam; that they were not paid salary and with the help of Indian Embassy, they reached India on 12.05.2024. Hence, the case.

3. The learned counsel for the petitioner would submit that the



complaint itself is belated and it was registered only in December 2024 and that the petitioner was arrested on the allegations on 02.01.2025 and the petitioner was taken into police custody and that the further custody is not required, the petitioner may be granted bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that not only the defacto complainant, there are 8 others, who had suffered similar treatment at Cambodia and considering the serious nature offences, opposing for grant of bail.

5. Admittedly, the defacto complainant returned to India in May 2024. The complaint was lodged in December 2024. The petitioner has already been taken into police custody. It is for the respondent police to establish the allegations against the petitioner before the Trial Court. Considering the period of incarceration and since the further custody is not required, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on 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 No.III, Erode** and on further conditions that:



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[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 on 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;

[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 of B.N.S.



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To

1. Judicial Magistrate No.III,
Erode.
2. TheInspector of Police,
CBCID-South, Erode,
Erode District.
3. Sub Jail, Erode.
4. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN., J.

vsg



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