



Crl.O.P.No.5862 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5862 of 2025

P.Tamilarasi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Central Crime Branch -1,
BETA-1, E.D.F-1,
Vepery, Chennai - 600 007.
(Crime No.247 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.247 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.L.Infant Dinesh

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 10.01.2025, seeking bail in Crime No.247 of 2024 registered for the offence under Sections 409, 420 read with Section 409, 420 read with Section 120(b) of IPC.



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2. The case of the prosecution is that, the defacto complainant was doing sugar import and export business; that accused got introduced to the defacto complainant and promised to export 12,000 Metric Tonnes of Sugar through her company Ellipse Endorse and Ellipse Universal Trading India Pvt Ltd., for which an agreement was entered between them; that the defacto complainant has transferred Rs.10,61,89,734 to the accused company account, for which, accused had given forged quality certificates, forged bill of lading and had not exported the sugar nor returned the amount and thus cheated the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is in custody from 10.01.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that based on the same modus operandi, there are four FIRs registered against the petitioner.



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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.

6. Considering, the fact that the allegations are borne out by records; 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 is 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 **CCB & CBCID, Metropolitan Magistrate, Egmore, Chennai** 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 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;

[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.

26.03.2025

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To

1. CCB & CB CID, Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch -1,
BETA-1, E.D.F-1,
Vepery, Chennai - 600 007.
3. The Superintendent,
Women's Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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