



Crl.OP.Nos.7314 & 8074 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.Nos.7314 & 8074 of 2025

and

Crl.M.P.Nos.10297 & 7183 of 2025

- 1.Sathiya Kumar ... Petitioner / A5 in Crl.O.P.No.7314 of 2025
- 2.Hamsaveni Rajendran ... 1st Petitioner / A1 in Crl.O.P.No.8074 of 2025
- 3.Saravanan ... 2nd Petitioner / A2 in Crl.O.P.No.8074 of 2025
- 4.Lakshmi Rajendran ... 3rd Petitioner / A3 in Crl.O.P.No.8074 of 2025

Vs.

State rep by
The Inspector of Police,
EOW Head Quarters,
Chennai – 600 030.
(Cr.No.2 of 2025)

... Respondent in both Crl.O.Ps.

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.2 of 2025 on the file respondent police.



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For Petitioner : Mr.R.Shankara Subbu
in Crl.O.P.No.7314 of 2025
: Mr.K.R.Ramesh Kumar
in Crl.O.P.No.8074 of 2025
For Intervenor : Mr.A.Balakumar in both Crl.O.Ps.
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

COMMON ORDER

The petitioners herein / A1, A2, A3 and A5, apprehend arrest at the hands of the respondent for the alleged offence under Sections 409, 420 and 34 IPC and Section 316(5), 318(4) and 3(5) of BUDS Act, 2019 in Crime No.2 of 2025, seek anticipatory bail.

2.The allegation against these petitioners is that these petitioners who are Directors of the company called M/s.Lakshmi Classic Home Pvt. Ltd., Chennai, joined hands with other accused and collected a huge sum of Rs.1,34,00,000/- from 26 victims under the pretext of giving good returns and subsequently, cheated the victims. Hence, the case.



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3.The learned counsel appearing for the petitioners / A1 to A3 in CrI.O.P.No.8074 of 2025 submitted that A1 to A3 are the Directors of the company and they have not benefited from any of the transactions and not collected any money from any of the victims and have been falsely implicated in this case. He further submitted that though a portion of amounts has been rooted through these petitioners' account, all the amounts have been repaid. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned counsel appearing for the petitioner / A5 in CrI.O.P.No.7314 of 2025 submitted that this petitioner is only acted as an agent, who collected the money from the investors on commission basis with good faith that it is a good business proposal. He further submitted that the petitioner has not benefited from the transactions. Hence, he prays for grant of anticipatory bail to the petitioner / A5.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police reported that A1 and A3 / 1st and 3rd petitioners in



Crl.O.P.No.8074 of 2025 were arrested by the respondent police. He further submitted that through the account of A2 / 2nd petitioner in Crl.O.P.No.8074 of 2025 a sum of Rs.1,34,00,000/- were swindled and so far no money is recovered. He further submitted that so far as A5 / petitioner in Crl.O.P.No.7314 of 2025 is concerned, he was acted as an agent and notice under Section 35 of BNS Act was also served on him and he also appeared for the enquiry and the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

6.Considering the overtact attributed against the petitioners, I am of the view that, if A2 is granted anticipatory bail, he will hamper the investigation and also considering the fact that A1 and A3 were arrested by the respondent police, the petition in Crl.O.P.No.8074 of 2025 stands dismissed. So far as A5 / petitioner in Crl.O.P.No.7314 of 2025 is concerned, he has only an agent and not benefited to any of the transactions involved in this case, this Court is inclined to grant anticipatory bail to the petitioner / A5 in Crl.O.P.No.7314 of 2025.



7. Accordingly, the petitioner / A5 in CrI.O.P.No.7314 of 2025 is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Special Court for TNPID, Chennai**, on condition that they shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if A5 fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner / A5 shall report before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as when required for the interrogation;



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[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner/A5 in accordance with law as if the aforementioned conditions have been imposed and the petitioner/A5 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)13 SCC 283];

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

8.Consequently, connected Criminal Miscellaneous Petitions are closed.

16.10.2025

smv

To

1.The Inspector of Police,
EOW Head Quarters,
Chennai – 600 030.

2.The Special Court for TNPID, Chennai.

3.The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

smv

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