



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8103 of 2025

D.S.Sathish

...Petitioner/Accused

Vs.

State Represented by
The Inspector of Police,
Alpha-6, Job Racket Wing,
CCB, Vepery, Chennai.
(Crime No.231 of 2024)

... Respondent

PRAYER: The Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.231 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Renjith
For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 06.02.2025, seeking bail in Crime No.231 of 2024 registered for the offences under Sections 406, 420, 506(i), 34 of IPC r/w Section 10 and 24 of Emigration Act, 1983.



2.The case of the prosecution is that the petitioner along with A2 collected money from the defacto complainant and other victims on the promise of obtaining jobs relating to Hotel Management at London; that the accused had cheated the victims to the tune of Rs.47,28,393/- and thus committed the aforesaid offence.

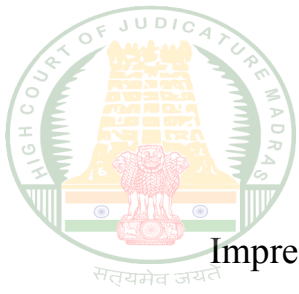
3. Learned counsel appearing for the petitioner submitted that the petitioner and the defacto complainants were known to each other; that the petitioner had introduced A2 to other accused and he has not cheated the defacto complainant; that as regards the allegations that the defacto complainant and other victims have paid Rs.13,72,000/- by cash and transferred Rs.1,00,000/- through his account is false and that in any case account transfer was made in the year 2023; that the defacto complainant had lodged a complaint before the respondent police on 09.12.2024; that the petitioner had earlier filed a complaint stating that the defacto complainant and the others had obtained certain blank papers and cheques after kidnapping and confining him in a secluded place; that the allegations are false; and that in any case further custody of the petitioner is not required and hence, he may be released on bail.



4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and also filed a counter to that effect. The defacto complainant has paid a sum of Rs.13,72,000/- by cash and a sum of Rs.1,00,000/- was transferred by one of the victim to the petitioner/A1 and that the other accused is still absconding.

5. Considering that the petitioner had introduced the second accused to the defacto complainant and the major portion of the amount was transferred to his (A2's) account; the fact that the petitioner is in custody from 06.02.2025 and since this Court is of the view that further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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)** each with **two sureties**, each for a like sum to the satisfaction of the **Additional Court for Exclusive Trial of CCB Cases at 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;

[b] the petitioner shall report before the respondent police daily 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.

27.03.2025

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Copy to:

- 1.The Inspector of Police,
Alpha-6, Job Racket Wing,
CCB, Vepery, Chennai.
- 2.Central Prison, Puzhal.
3. The Additional Judge for Exclusive Trial of CCB Cases,
Egmore.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.8103 of 2



SUNDER MOHAN, J.

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Crl.O.P.No.8103 of 2025

27.03.2025