



WEB COPY



Crl.O.P. No.8522 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.8522 of 2025

Udhayakumar

... Petitioner/ Accused

Vs.

The State Rep. By,
The Inspector of Police,
Tiruvannamalai Town-Crime Police Station,
Tiruvannamalai.
(Crime No.38 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.38 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. P. Muthamizhselvakumar

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



CrI.O.P. No.8522 of 2025

WEB COPY

ORDER

Petition seeking bail in respect of Crime No.38 of 2025 registered for the alleged offences punishable under Sections 318(4) of BNS (420 of IPC), is on board for consideration.

2. The case of the prosecution is that the petitioner impersonated himself as a temple priest and induced the defacto complainant by making false promise of obtaining a job in the temple; that thereby cheated the defacto complainant to the tune of Rs.1,63,000/-. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 25.02.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for the



CrI.O.P. No.8522 of 2025

respondent reiterated the prosecution case and submitted that the petitioner has six previous cases, out of which three cases under 420 IPC and other cases under Sections 397, 379 and 229A of IPC; and that the investigation is pending, hence opposed the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the fact that the petitioner is on bail in all the other cases, the period of incarceration undergone by the petitioner and since 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)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate Court-I, Tiruvannamalai** and on further conditions that:



WEB COPY

[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;

[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]***;



CrI.O.P. No.8522 of 2025

[f] If the accused thereafter absconds, a fresh FIR can

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02.04.2025

stn

To

1. The Judicial Magistrate No.I,
Tiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai Town-Crime Police Station,
Tiruvannamalai.
(Crime No.38 of 2025)
3. The Superintendent,
Sub-Jail, Tiruvannamalai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P. No.8522 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.8522 of 2025

02.04.2025