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Crl.O.P. No.9633 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.9633 of 2025
and Crl.M.P.No.6621 of 2025

M. Murali

... Petitioner/ Accused

Vs.

The State Rep. By,
The Inspector of Police,
G-5, Secretariat Colony Police Station,
Kilpauk, Chennai - 600010.
(Crime No.58 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.58 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. Y. Dhanasekar

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

For Intervener : Mr. V. Sukumar



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ORDER

Petition seeking bail in respect of Crime No.58 of 2025 registered for the alleged offences punishable under Sections 406 and 420 of IPC Act, is on board for consideration.

2. The case of the prosecution is that the petitioner was known to the defacto complainant; that on the promise of obtaining a Government Job to the defacto complainant's son, the petitioner had received a sum of Rs.4,15,000/- through G-pay and Rs.5,85,000/- by way of cash from the defacto complainant; that thereafter, the petitioner had neither obtained a job nor return back the money. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner had only obtained a loan from the defacto complainant and the same has been falsely projected as job racketing; that the petitioner is innocent and he has been arrested and remanded to judicial custody on 06.03.2025. He further submitted that the petitioner to show his bonafide, he is ready and willing to deposit a sum of Rs.3,00,000/- to the credit of Crime No.58 of 2025



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within a period of four weeks; 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 counsel appearing for the defacto complainant vehemently opposed the bail to the petitioner by stating that the petitioner had cheated a sum of Rs.10,00,000/- from the defacto complainant by way of job racketing, hence sought for dismissal of this bail application.

5. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that no money has been recovered yet from the petitioner; and that the investigation is pending, hence opposed the grant of bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the voluntary submission made by the learned counsel for the petitioner that, the petitioner is ready to deposit a sum of Rs.3,00,000/- to the credit of Crime No.58 of 2025, the period of incarceration undergone by the petitioner and since further



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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.

7. 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 II Metropolitan Magistrate, Egmore Court, 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 deposit a sum of **Rs.3,00,000/-** to the credit of Crime No.58 of 2025 before the learned Magistrate concerned within a period of four weeks from the date of receipt of copy of this order and on such deposit, the defacto complainant is permitted to withdraw the same by making appropriate application and production of proof.

[c] the petitioner shall report before the respondent Police everyday at 10:30 a.m., until further orders;



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[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.

8. For reporting compliance, post the matter on 02.06.2025. Accordingly, this criminal original petition and connected criminal miscellaneous petition are ordered.

02.04.2025

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SUNDER MOHAN, J.

stn

To

1. The II Metropolitan Magistrate,
Egmore Court, Chennai.
2. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Kilpauk, Chennai - 600010.
(Crime No.58 of 2025)
3. The Superintendent,
Puzhal Prison, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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