



WEB COPY



Crl. O.P. No.10394 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10394 of 2025

Premkumar S/o. Vasu

... Petitioner/Accused-4

Vs.

The State represented by-

The Inspector of Police,
CCB Avadi Police Station,
Avadi.
(Crime No.15 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.15 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. M. Manimaran

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.02.2025, seeking bail in Crime No.15 of 2025 registered for the offences under Sections 406, 417, 420 read with



34 of IPC.

2. The case of the prosecution is that the accused persons, who had introduced themselves as real estate business holders, received a sum of Rs.1,19,10,000/- from the defacto complainant by creating forged documents, under the pretext of starting a real estate business along with the defacto complainant and cheated the defacto complainant and thus, committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner and the brother of the defacto complainant were friends; that there were money transactions; that with regard to repayment of money, there was a wordy quarrel and therefore, the defacto complainant has lodged a false complaint against petitioner and others; and that in any case, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, confirmed the fact that the alleged transactions took place in the year 2020 and the defacto complainant has not filed any Suit for recovery of money and the co-accused were released on

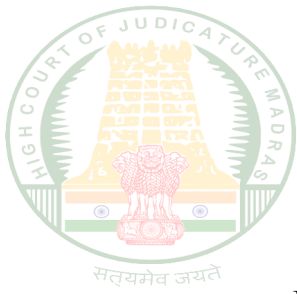


5. Considering the aforesaid facts, nature of allegations, considering the fact that the alleged payments were made in the year 2020, the defacto complainant has not filed any Suit either for recovery of money or for enforcement of alleged agreement, the co-accused were released on bail and considering the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence 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-I, Poonamallee.**

[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



Crl. O.P. No.10394 of 2025

WEB COPY

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]***;

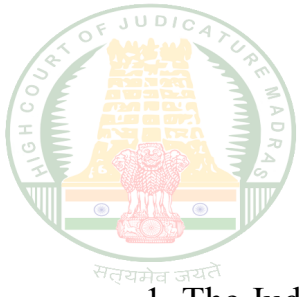
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

07.04.2025

mjs

To

4/6



Crl. O.P. No.10394 of 2025

1. The Judicial Magistrate-I, Poonamallee
2. The Inspector of Police, CCB Avadi Police Station, Avadi.
3. The Superintendent of Police, Central Prison, Puzhal-II, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl. O.P. No.10394 of 2025

SUNDER MOHAN., J.

mjs

Crl. O.P. No.10394 of 2025

07.04.2025