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Crl.O.P. No.12018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.12018 of 2025

Vengadesan

... Petitioner/ Accused No.4

Vs.

The State Rep. By,
The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
(Crime No.55 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.55 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. R. Suryaprakash

For Intervener : Mr. T. Meganathan

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

Petition seeking bail in respect of Crime No.55 of 2025 registered for the alleged offences punishable under Sections 191(2), 296(b), 115(2), 351(3), 316(2), 318(4) and 61(2) of BNS, 2023, is on board for consideration.

2. The case of the prosecution is that based on a business transaction between the defacto complainant and A1, a sum of Rs.23,50,000/- is due to the defacto complainant by A1 and for the same A1's father executed a sale deed in respect of his property in favour of the defacto complainant. While so, A1 along with other accused persons approached the defacto complainant that they are ready with the money and asked the defacto complainant to come to the registration office to re-register the said property, believing the same, that on 24.03.2025, the defacto complainant went to the registration office and received a sum of Rs.22,25,000/- and executed the sale deed in favour of A3 vide Doc.No.776 of 2025 with the assurance that balance Rs.1,50,000/- will be settled shortly. After completion of the registration process, based on the instruction of A2, the petitioner/ A4, who witnessed the aforesaid sale deed and other accused persons abused and threatened the defacto complainant of



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dire consequences and taken away the aforesaid money of Rs.22,25,000/-.

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 26.03.2025. He further submitted that the petitioner except signing as a witness in the said sale deed executed by the defacto complainant is no way connected with the alleged transactions or allegations. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court and to co-operate for the investigation, hence prayed for bail to the petitioner.

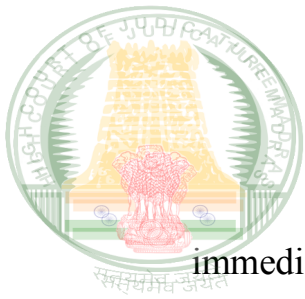
4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally four accused in this case and the petitioner has been arrayed as A4; that based on the instruction of A1, the petitioner colluded with other accused, grabbed the money to the tune of Rs.22,25,000/- paid to the defacto complainant towards sale consideration for registration of his property in



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favour of A3. He further submitted that the main accused/ A1 is still absconding; and that the investigation is pending and opposed the grant of bail to the petitioner.

5. The learned counsel appearing for the intervener vehemently opposed the bail to the petitioner by stating that the defacto complainant is a goldsmith and the first accused is doing gemstone business and they both were doing business for more than nine years; that on account of their business and other transactions a sum of Rs.23,50,000/- was due by A1 to the defacto complainant; that while the defacto complainant asked A1 to return back his money, A1's father had executed a sale deed in respect of his property in favour of the defacto complainant on 02.12.2024 with a condition to re-register the same once the entire due is settled; while so the accused persons approached the defacto complainant that they are ready with the money and ask him to come to the registration office for execution of sale deed in favour of the accused; that thereby on 25.03.2025, the defacto complainant went to the registration office, received a sum of Rs.22,25,000/- and on the assurance of the accused that the balance amount of Rs.1,50,000/- will be settled shortly, executed a sale deed vide Document No.776 of 2025 in favour of A3; that



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immediately after execution of the sale deed, based on the instigation of A1, the accused persons abused, threatened the defacto complainant of dire consequences and grabbed the aforesaid sum of Rs.22,25,000/- paid to the defacto complainant towards the sale consideration of the aforesaid sale and fled away from the spot.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels, the gravity of offence and the fact that the investigation is still pending, this Court is not inclined to grant bail to the petitioner.

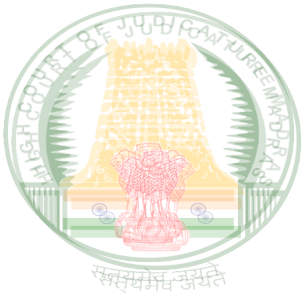
7. Accordingly, this criminal original petition is dismissed.

14.05.2025

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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.



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M. NIRMAL KUMAR, J.

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2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
(Crime No.55 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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