



Crl.OP.No.12267 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 23.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.12267 of 2025

Manikandan

.. Petitioner

Vs.

The State rep by
Sub-Inspector of Police
Vadapalani Police Station,
Chennai District.

(Crime No.66 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.66 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s.R.Parthiban

For Respondent : M/s.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 25.03.2025, seeking bail in Crime No.66 of 2025 registered for the offence under Sections 318(4) of BNS.



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2. The case of the prosecution is that the petitioner, claiming to be a priest, under the guise of performing pooja for the recovery of the defacto complainant's husband from illness, demanded Rs.3,00,000/-; that when the defacto complainant did not have the cash, the petitioner asked for jewels and received 3 ½ sovereigns of gold; and thereafter absconded and thus committed aforesaid offences.

3. The learned counsel for the petitioner would submit that even according to the respondent articles obtained by cheating have been recovered from the petitioner; that the petitioner is in custody from 25.03.2025 and 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 confirmed that the petitioner has no bad antecedents; that the articles have been recovered from the petitioner and that the investigation has been completed and final report has been filed.



WEB COPY 5. Considering the aforesaid facts, the articles alleged to have been obtained by cheating have been recovered from the petitioner, the investigation has been completed and the final report has been filed 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 XVII Metropolitan Magistrate Court, Saidapet, 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 appear before the Trial Court on all hearing dates;

[c] the petitioner shall not abscond either during investigation or trial;



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[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.

23.04.2025

Index : Yes / No
Internet : Yes / No
dpa



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To

1.The Sub-Inspector of Police
Vadapalani Police Station,
Chennai District.

2.The XVII Metropolitan Magistrate Court,
Saidapet, Chennai

3.The Superintendent of Prison,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.
dpa

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