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Crl.O.P.Nos.14428, 14563 & 14638 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.14428, 14563 & 14638 of 2025

1.Karthik Kumar	
2.Ragupathi	... Petitioners in Crl.O.P.No.14428 of 2025
3.Pramoth	... Petitioner in Crl.O.P.No.14563 of 2025
4.Dinesh	... Petitioner in Crl.O.P.No.14638 of 2025

Vs.

State Rep By:
The Inspector of Police,
B1 North Beach Police Station,
Chennai.
(Crime No.135 of 2025) ... Respondent in all Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions filed under Section 483 of BNSS, to enlarge the petitioners on bail in Crime No.135 of 2025 on the file of the respondent Police.



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For Petitioner
in Crl.O.P.No.14428 of 2025 : Mrs.C.Ezhilbalaji

For Petitioner
in Crl.O.P.No.14563 of 2025 : Mr.S.Kishore

For Petitioner
in Crl.O.P.No.14638 of 2025 : Mr.A.Jayamohan

For Respondent
in all Crl.O.Ps : Mr.L.Baskaran,
Government Advocate (Crl. Side)

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.04.2025 (A2) and 04.04.2025 (A3, A4 & A5) for the offence punishable under Sections 305(e), 338, 341(2), 316(5) of Bharatiya Nyaya Sanhita, 2023 in connection with Crime No.135 of 2025 on the file of the respondent, seek bail.

2.The gist of the prosecution case is that the PA General/Deputy Collector, Chennai lodged a complaint to the respondent police stating that for the Indian Nationals who died abroad, compensation would be sent from the Foreign Countries to Government of India, who in turn send the same to



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the respective Districts according to the domicile of the deceased person and the District Collectors in the respective Districts are the authorized Officers to disburse the compensation amount. The District Collector, Chennai is maintaining a separate account with Indian Bank for this purpose. This account has been maintained by the Senior Revenue Inspectors of the Collectorate, Chennai. A1 and A2 are the Senior Revenue Inspectors, who used the bank account of their friends and known persons, namely, A3 to A5. The Revenue Inspectors/A1 and A2 stealthily removed the cheques, forged the seal and signature of the Collector and through A3 to A5, had siphoned and misappropriated a sum of Rs.11,00,000/- [Rs.4,40,000/- by A2 and Rs.7,60,000/- by A1]. The cheques were issued in the name of Dinesh/A3, Karthik Kumar/A4 and Ragupathi/A5 vide Cheque No.772811 for Rs.5,01,628/-, Cheque No.772818 for Rs.5,07,911/- and Cheque No.772824 of Rs.1,54,000/-. During the inspection and audit, this misdeed of the accused was found, details collected from the Bank which confirms the connivance of A1 and A2 with the other accused. In this case, totally four cheques were stealthily removed and the Government funds had been misappropriated by the accused.



WEB COPY 3.The contention of the learned counsel for the petitioner/A2 is that

he is a Senior Revenue Inspector, the defacto complainant submits that during audit on 28.03.2025, the above missing of cheques found but the transactions taken place much earlier to the time, the petitioner was not handling this account. He would submit that since A2 was at one point of time dealing with the accounts, he was falsely implicated in this case. He further submitted that based on the confession statement of the co-accused, he was arrested and he was already suspended and facing departmental action. Hence, prayed for bail.

4.The learned counsel for the petitioner/A2 would submit that without prejudice to his right of defence in the above case and in the departmental proceedings, the petitioner/A2 had come forward to deposit Rs.4,40,000/-. Today, the learned counsel produced the bank challan for remittance of a sum of Rs.4,40,000/- to the account of the Collector of Chennai.

5.The learned counsels for the petitioners/A3 to A5 would submit that



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they are known to A1 and A2, on their request they have given their bank particulars and handed over signed cheques. He would submit that it is only an accommodation provided by them to A1 and A2 and nothing more.

6.The learned Government Advocate (Crl. Side) filed his counter and submitted that A1 and A2 are the Senior Revenue Inspectors employed in the Collectorate, Chennai, who are under the direct control of the District Collector. On getting information from the Chief Secretary, they have to process the same, find out the beneficiaries, prepare the cheque and after obtaining signature from the Collector, the cheques to be forwarded to the beneficiaries. In this case, four cheques were stealthily removed in the cheque book at random. These cheques have been used in the name of A3 to A5, who are not the beneficiaries. Thus the Government funds intended to the beneficiaries have been misappropriated and cheated by A1 and A2 along with A3 to A5. He would further submit that in one of the case, after the transfer of the Collector, cheque was signed in the name of the said Collector. Now the cheques were collected from the Bank, sent to the Forensic Department and the investigation is in progress. A1 and A2 are



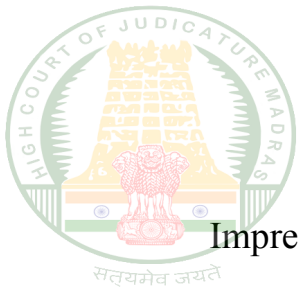
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suspended and facing departmental action. He further confirms the remittance of a sum of Rs.4,40,000/- by A2 in the account of the Collector of Chennai.

7.Considering the facts and circumstances of the case, it is seen that A1 and A2 in connivance with A3 to A5 misappropriated and cheated Government funds intended to the beneficiaries. Further, A2 in this case had already remitted a sum of Rs.4,40,000/- in the account of the Collector of Chennai. This remittance cannot be considered as admission. Hence, considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned VII Metropolitan Magistrate, George Town, Chennai and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb



Impression in the Application for Surety ship [Judicial Form No.46 annexed

to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b]the petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of three weeks; thereafter as and when required for further interrogation;

[c]the petitioners shall make herself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[f]On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned



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Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

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

11.06.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
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 the official website of this Court will be watermarked and will also have a QR code.



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To

- 1.The VII Metropolitan Magistrate,
George Town, Chennai.
- 2.The Inspector of Police,
B1 North Beach Police Station,
Chennai.
- 3.The Central Prison,
Puzhal, Chennai.
- 4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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