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CrI.O.P.No.14853 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.14853 of 2025

K.Harish

... Petitioner/A1

Vs.

The State Rep by
The Inspector of Police,
P2-Otteri Police Station,
Chennai – 600 012.
Tamilnadu.

... Respondent

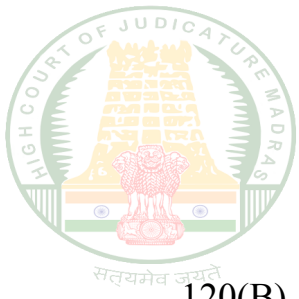
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.366 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.Navaneetha Krishna Pandian

For Respondent : Mr.L.Baskaran
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.03.2025, for the offence punishable under Sections 406, 420 of IPC r/w

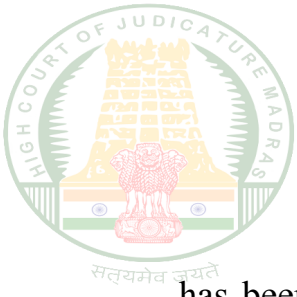


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120(B) and 109 of I.P.C., 1860 (Sections 316(2), 318(4), 61(2) and 49 of BNS, 2023) in connection with Crime No.366 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused have cheated the de-facto complainant to the tune of Rs.60 lakhs. Hence, the case.

3.The learned counsel for petitioner submitted that the allegation against the petitioner is that the petitioner/A1 along with A3/Sathish Kumar approached the de-facto complainant and his wife and thereby lured them to make investments and deposits through various bank accounts and the de-facto complainant cheated to the tune of Rs.60 lakhs. The petitioner is a victim himself. Except for the allegation that the petitioner introduced A2 and A3 there is no other role played by the petitioner. The petitioner earlier lodged a complaint to CCB on 29.12.2023 against A2 and A3 but no action

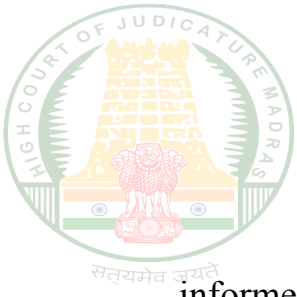


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has been taken. On the other hand, the petitioner was arrested in the above case along with A2 and A3. He further submitted that the petitioner is a BCA Graduate, married person having child. He started his career in Accenture IT company, later switched over to Optimum Infosystem, Perungudi, Chennai and still working there. In the course of employment he came in contact with other accused as well as de-facto complainant and her husband. Except for referring A2 and A3, the petitioner had played no role. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police filed his counter and submitted that the de-facto complainant Jamuna lodged a complaint to the respondent police that she and her husband were working in Accenture I.T. company. The de-facto complainant and her husband came to know the petitioner, who introduced A3 and claimed that A3 is running THI Infotech Solution and the petitioner convinced the de-facto complainant and her husband to give loan and also



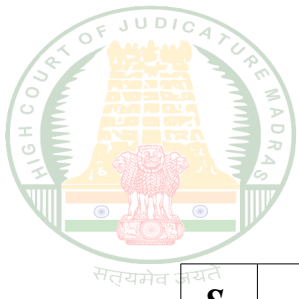
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informed that he would apply loan in their name and that money can be invested for higher interest rate and they can also have a share in the profit. Believing the same, loan has been applied using their name referred by petitioner and A3 and amounts were reached their referred accounts and finally it reached the petitioner. Now the de-facto complainant and her husband has been cheated. In this case, A2 and A9 were granted bail by the Sessions Court, A6 and A10 are yet to be arrested.

5. Heard both sides and perused the materials available on record.

6. From the counter it is seen that a sum of Rs.25,000/- has been transferred through Paytm to the petitioner's account. The other transactions were made through other accused account. The details of which reads as follows:



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<i>S. No.</i>	<i>Date</i>	<i>Accused Name</i>	<i>Account No.</i>	<i>Bank Name</i>	<i>Transfer Amount</i>
1.	30.01.2023	Harish/A1	Paytm	----	Rs.25,000/-
2.	01.02.2023	Sathish Kumar/A3	921020012323203	Axis	Rs.15,41,744/-
3.	31.01.2023	Subashini/A4	321801000589	ICICI	Rs.25,000/-
4.	31.01.2023	Vignesh/A7	915010024468945	Axis	Rs.10,00,000/-
5.	01.02.2023	Rekha/A8	915010024476577	Axis & TM	Rs.15,00,000/-
6.	31.01.2023	Lokesh/A9	922010064540559	Axis	Rs.10,10,761/-
	30.01.2023	Digital Eye	103520700000170	Yes Bank	Rs.9,73,538/-
Total					Rs.60,76,043/-

7.Considering the above and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **X Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:



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[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 petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as when required for interrogation;

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

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

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

[f] On breach of any of the aforementioned



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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 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)13 SCC 283]**;

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

17.06.2025

rsi

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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M.NIRMAL KUMAR, J.

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To

1.The X Metropolitan Magistrate, Egmore,
Chennai.

2.The The Inspector of Police,
P2-Otteri Police Station,
Chennai – 600 012.

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

4.The Public Prosecutor,
High Court of Madras.

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