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CRL OP No. 15539 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15539 of 2025

Santhakumar

Petitioner(s)

Vs

State Rep,by, The Inspector of Police,
Moongilthuraippattu Police Station,
Kallakurichi District.
(Cr.No.147 of 2024)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS 2023 enlarge the petitioner on bail in Crime No.147 of 2024 on the file of the respondent police.

For Petitioner(s): Mr.M.Vignesh

For Respondent(s): Mr.L.Baskaran, GA (Crl.Side)



ORDER

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Today, the matter is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court that some errors has been crept in the order dated 20.06.2025 in Crl.O.P.No.15539 of 2025. Accordingly, the entire order shall be replaced as follows:

“Prayer: This Criminal Original Petition is filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in Crime No.147 of 2024 on the file of the respondent police.

For Petitioner : Mr.M.Vignesh
For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

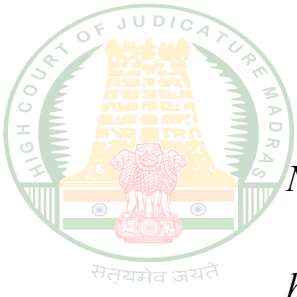
The petitioner, who was arrested and remanded to judicial custody on 25.04.2025, for the offence punishable under Sections 420 of IPC in connection with Crime No.147 of 2024, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner along with the other accused had cheated money of the defacto complainant by making false promise that he will secure a Government Job to the wife of the defacto complainant. Hence, the complaint.

3. Learned counsel for the petitioner submitted that petitioner has been wrongly arrayed as an accused and it is the other persons who had collected money and even in the complaint, it is admitted that the petitioner had received only Rs.1,00,000/- and he repaid Rs.30,000/- and he is also ready to pay the balance amount. He further submitted that for the individual act of other accused, the petitioner is not liable for the offence. Moreover to show his bonafide, the petitioner is ready to deposit Rs.1,50,000/- to the credit of the Crime



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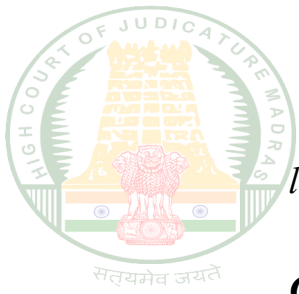


Number of this case. The petitioner is an innocent person and has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner along with other accused had collected money from the defacto complainant on the false promise of securing government job to his wife and repaid only Rs.30,000/-.

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

*6. 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*



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like sum to the satisfaction of the **learned Judicial Magistrate**

Court, Sankarapuram 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 petitioner is directed to deposit a sum of **Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only)** to the credit of Cr.No.147 of 2024,

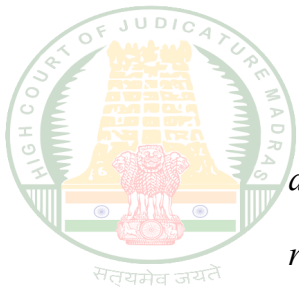
[c] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

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

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

[f] 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;

[g] 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



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*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];***

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

3. Learned counsel for the petitioner further submitted that in the “To address”, the name of the satisfaction Court is wrongly mentioned as “**the Judicial Magistrate No.3, Thirupathur**” instead of “the **Judicial Magistrate Court, Sankarapuram**” and the same needs to be rectified and seeks for suitable direction.

4. In view of the above, Registry is directed to carry out the appropriate corrections and issue fresh order copy to the parties.

25-06-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The Inspector of Police,
Moongilthuraippattu Police Station,
Kallakurichi District.
2. The Judicial Magistrate Court,
Sankarapuram.
3. The Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

jai

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25-06-2025