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CrI.O.P.No.15622 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

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THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.15622 of 2025

Josuva Nickelson

.....Petitioner/ A5

Vs.

The State rep by
The Inspector of Police,
Bank Fraud Investigation
Central Crime Branch
Vepery, Chennai-600 007
Crime No.92 of 2011

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in connection with CC.No.6683/2013
on the file of learned Additional CCB Court at Egmore and thus render
justice

For Petitioner : M/s.B.Krishnan
For Respondent : M/s.V.J.Priyadarsana
Government Advocate (CrI.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.04.2025, for the alleged offences punishable under Sections 419, 420, 465, 467, 468, 471 of IPC, in Crime No.92 of 2011, thereby taken cognizance in CC.No.6683/2013 on the file of learned Metropolitan Magistrate, Additional CCB Court, Egmore, Chennai, seeks bail.

2. The case of the prosecution as per the final report is that 1st accused forged the cheque of deceased person namely Mr.G.Ramanujam. On the complaint given by his son, FIR was registered against all the accused. It is alleged that 1st accused has issued a cheque for repayment of his debts in favour of the petitioner/A5 and he withdrew an amount of Rs.3,85,000/- from the 1st accused's bank account and not from the deceased person's bank account. Hence, the case has been registered and the same was taken cognizance in CC.No.6683/2013 on the file of learned Metropolitan Magistrate, Additional CCB Court, Egmore, Chennai,



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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that he has not committed any offence as alleged by the prosecution. He would submit that the petitioner has been in judicial custody from 26.04.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was already released on bail, subsequently, NBW was issued against him on 04.03.2025 and he was arrested on 26.04.2025.

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



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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 learned **Additional Court for Exclusive Trial of CCB Cases, Metropolitan Magistrate, Egmore, 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 without fail till the completion of the trial;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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 51340]*;

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

21.05.2025

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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 official website of this Court will be watermarked and will also have a QR code.**



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N.SENTHILKUMAR,J.

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To

1.The Additional Court for Exclusive Trial of CCB Cases, Metropolitan Magistrate, Egmore, Chennai,

2.. The Inspector of Police,
Bank Fraud Investigation
Central Crime Branch
Vepery, Chennai-600 007

3.The Superintendent,
Puzhal Prison (Men), Chennai.

4.The Public Prosecutor,
High Court of Madras.

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