



Crl.O.P.No.15614 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15614 of 2025

Aparna

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
M-4, Redhills Police Station,
Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.284 of 2025 on the file of the respondent Police.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Intervener : Mr.A.Saranraj

ORDER

The petitioner, who was arrested and remanded to judicial custody on
02.05.2025 for the offences under Sections 318(4), 336(2), 336(3) and 346 of
BNS, in Crime No.284 of 2025, on the file of the respondent, seeks bail.



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2. The contention of the learned counsel appearing for the petitioner is that the petitioner/A5 is innocent and has been falsely implicated in this case. He further submitted that the petitioner was employed as a Home-Incharge in Aram Child Foundation Trust. Though her designation was Home In-charge, her primary responsibility was to maintain the functioning of the call centres situated at Redhills and 17 other places. He further submitted that the duty of the petitioner is monitoring the call centres and following up on call enquiries to ensure that the Trust received property donation for the benefit of orphaned children and destitute elders. He further submitted that the de facto complainant claims to have donated a total sum of Rs.26,850/- on various dates between 10.09.2023 and 26.02.2025 and he allegedly visited the wrong premise and upon finding that no centre was functioning, lodged a complaint stating that no such centre was available and the accused are running only a call centre and nothing more and further, he projected the petitioner as Trustee.

3. He also submitted that initially, the Trust initiated by one K.Mohan and M.Deepika and managed by them till 22.03.2024, thereafter, it was taken over by one Naveen Prem kumar and Pon Selvam. The Trust is very much functioning in Kakkalur and even the RPF and other Government Agencies are

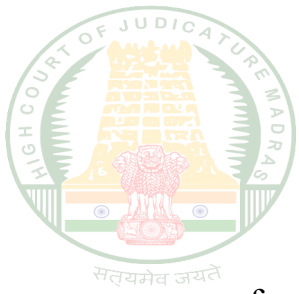


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handing over the abandoned children to the Trust. This being so, the de facto complainant, with an ulterior motive, lodged a false complaint and based on which, the respondent straight away arrested the petitioner without issuing notice under Section 41 A notice, which is mandatory. He further submitted that the petitioner, who was recently married, has been in judicial custody for the past 57 days and the petitioner is entitled for statutory bail in another three days. He further submitted that co-accused/A6 has been released on bail. Hence he prayed for grant of bail to the petitioner.

4. Learned counsel appearing for the intervener submitted that the petitioner falsely projected herself as a Trustee and collected huge sums of money from the public, amounting to several crores. He further submitted that from the bank account of the petitioner, it is seen that an amount of Rs.1.8 Crore has been transferred from the Trust's account to the petitioner's account.

5. Learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and submitted that, although the petitioner's name is not recorded in any document as a Trustee, she played an active role as Trustee along with others. He further submitted that the petitioner collected huge



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sums of money from the public and swindled the amount. He also submitted that apart from collecting amount from the public, the Trust has not rendered any service to the public. He fairly submitted that the petitioner has been in prison for the past 57 days and is four days short of becoming eligible for statutory bail. He also submitted that the investigation in this case is still in progress and the other individuals named as Trustees have filed anticipatory bail petitions before this Court, which are currently pending. Unless the accused are arrested, the substantial progress in the investigation cannot be made. He also submitted that granting bail to the petitioner would stall the investigation. Hence, he strongly opposed for granting bail.

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

7. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of 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 her executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with



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two sureties, each for a like sum to the satisfaction of the learned **Judicial**

Magistrate No.II, Ponneri, 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 shall report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall make herself 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 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



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M.NIRMAL KUMAR, J.

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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

25.06.2025

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

To

1. The Judicial Magistrate No.II, Ponneri.
2. The Inspector of Police, M-4, Redhills Police Station, Chennai.
3. The Superintendent, Central Prison for Women, Puzhal.
4. The Public Prosecutor, High Court of Madras.

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