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CrI.O.P.No.15989 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.07.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.15989 of 2025

Sunil Das

... Petitioner/A2

Vs

State Represented by
The Inspector of Police,
City Crime Branch-I,
Coimbatore.
(Crime No.7 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
connection with Crime No.7 of 2025 on the file of the respondent Police.

For petitioner : Mr.Thirumalai Rajagopal

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI. Side)

For Intervenor : Mr.M.Vimal Bobby Crimson

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.05.2025, for the offences punishable under Sections 406, 420, 465, 468,



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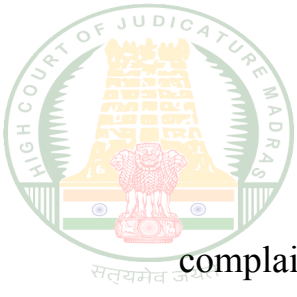
471 and 473 of I.P.C., 1860 in connection with Crime No.7 of 2025, on the

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file of the respondent, seeks bail.

2.The case of the prosecution is that the de-facto complainant is engaged in a real estate business and the petitioner is running a charitable trust. The petitioner represented that the Reserve Bank of India had sanctioned Rs.3.17 crores to the petitioner's trust and to utilize these funds, a deposit of Rs.3 crores was required by the RBI. The petitioner promised to repay this amount and offered to purchase land from the de-facto complainant. Believing this representation, the de-facto complainant paid a total sum of Rs.3 crores to the petitioner. But the petitioner not repaid the amount. Hence the case.

3.The contention of the learned counsel for petitioner is that from the year 2012, the petitioner and de-facto complainant had become very close. The de-facto complainant citing severe business loss approached the petitioner for financial assistance. Further the petitioner assisted the de-facto



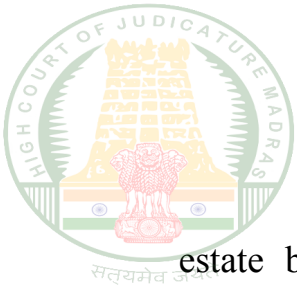
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complainant by providing family jewels to the value around Rs.2 Crores.

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Thereafter the de-facto complainant started repaying the amount in part. The de-facto complainant issued 6 cheques totally for a sum of Rs.1.5 Crores in favour of this petitioner towards repayment of the loan advanced. Thereafter the de-facto complainant again approached for a loan. The petitioner had arranged for RTGS payment to the de-facto complainant's son. Later the petitioner came to know that the de-facto complainant was having a shadow background. Hence, the petitioner withdrew his offer of second loan, which has been now twisted and a false case has been projected as though the petitioner obtained money and thereafter committed the offence of forgery for the purpose of cheating and other allied offences. Further, for dishonour of the cheque, the petitioner had filed a complaint under Section 138 of the Negotiable Instruments Act. Hence, he prayed for granting bail to the petitioner.

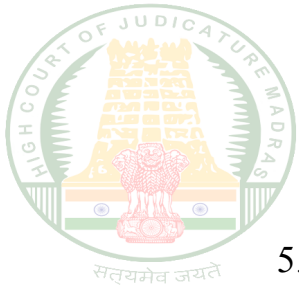
4.The contention of the learned counsel for the de-facto complainant/intervenor is that the de-facto complainant engaged in the real



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estate business and living with his family in Coimbatore. The de-facto complainant's son is an Architect. One Krishnamurthy, a land mediator of Perundurai introduced the petitioner, who projected he is running a charitable trust in the name of M/s.Sneham Charitable Trust at Palakkad District. The petitioner produced a letter of RBI showing that Rs.3.17 crores have been sanctioned and the petitioner can utilize the same only when he deposit some amount. The RBI letter dated 09.12.2020 sent through Whatsapp. The de-facto complaint induced by the sugar coated words and promise of the petitioner that once funds received, the petitioner would purchase the property developed by the de-facto complainant's son. Hence, the de-facto complainant transferred Rs.1,56,85,000/- from his bank account on different dates to the petitioner. Added to it, the de-facto complainant also paid cash of Rs.1,43,15,000/- on various dates. Thus the petitioner had committed cheating by producing forged documents.



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5.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the de-facto complainant produced the letter of RBI, bank statement along with supporting documents, thereafter the petitioner was arrested. Further, it was found that the petitioner has got cheque bounce cases even in Mumbai and arrest warrant issued against him in that case. The petitioner if granted bail, he would abscond and it will obstruct the investigation.

6.Considering the submissions made on either side, the seriousness of the offence and the petitioner's design in cheating the de-facto complainant and investigation is pending in this case, this Court is not inclined to entertain this bail petition and the same is dismissed.

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Index : Yes/No

Internet : Yes/No



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M.NIRMAL KUMAR, J.

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To:

1.The Judicial Magistrate No.VII,
Coimbatore.

2.The Inspector of Police,
City Crime Branch-I,
Coimbatore.

3.The Public Prosecutor,
High Court Madras.

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