



Crl.OP.No.16192 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.05.2025

CORAM

THE HON'BLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

Crl.O.P.No.16192 of 2025

Bhavani

.. Petitioner/Accused 2

Vs.

The State rep by
The Inspector of Police,
CCB, Avadi (Chit),
Chennai.

(Crime No.21 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.21 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.S.Madhusudanan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.05.2025 for the offences punishable under Section 318(4) of BNS r/w Sections 4(1) and 76 of Chit Funds Act, in Crime No.21 of 2025, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused, in the guise of running an unauthorised Diwali chit, has collected funds from 59 subscribers to the tune of Rs.1 crore and thereafter, they have refused to return the chit amount even after maturity and thereby they cheated the defacto complainant and others. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false. He would further submit that the petitioner is in custody from 03.05.2025 and hence, further custody is not required. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and sought for bail.



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4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that no amount was recovered from the accused.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, the period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions:

7.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 **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate No.1, Poonamallee**, and on further conditions that:



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[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 respondent police as and when required for investigation.

[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;

[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 5560]***;

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

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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.

To

1.The Inspector of Police,
CCB, Avadi (Chit),
Chennai.

2.Special Prison for Women, Puzhal, Chennai.

3.The Judicial Magistrate No.1, Poonamallee.

4.The Public Prosecutor,
Madras High Court,
Chennai.



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K. GOVINDARAJAN THILAKAVADI, J.
ata/rkp

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