



WEB COPY



Crl.MP.No.13964 of 2025
in Crl.O.P.No.7869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.13964 of 2025
in Crl.OP.No.7869 of 2025

Dhaya @ Dhayanidhi

... Petitioner

Vs.

The State rep by:
The Inspector of Police,
Central Crime Branch,
Avadi.
Thiruvallur District.
(Crime No.62 of 2024)

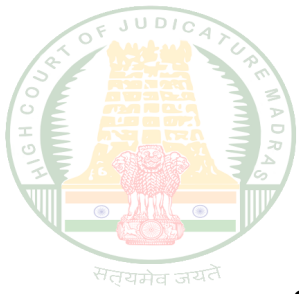
... Respondent

For Petitioner : Mr.G.Saravanakumar

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

ORDER

The petitioner was granted bail by the learned Judicial Magistrate No.I, Poonamallee, in Crl.M.P. No.3834 of 2024 by order dated 29.10.2024. One of the conditions imposed was that the petitioner should appear before the respondent police station every day at 10:30 a.m. for a period of 30 days.



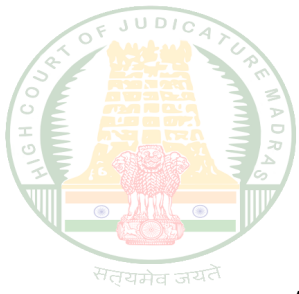
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2. Aggrieved by this condition, the petitioner filed a modification petition before this Court in Crl.O.P. No.7869 of 2025, and by order dated 18.03.2025, this Court modified the condition, directing the petitioner to appear before the respondent police once a week, on every Saturday, until further orders.

3. This modification was granted considering the fact that the petitioner's son, who had recently failed in his examinations on 17.11.2024, required his presence, and the petitioner was unable to comply with the daily reporting condition for 20 days. Thereafter, the petitioner has been appearing before the respondent police every Saturday without fail. Hence, the present petition seeking further relaxation has been filed.

4. The learned counsel for the intervenor submitted that, at the time of granting bail, the petitioner had promised to pay the de-facto complainant a sum of Rs.96,00,000/-, as part of a total agreed chit amount of Rs.1,38,00,000/-. Out of the agreed sum, the petitioner paid Rs.20 lakhs. According to the de-facto complainant, the petitioner cheated to the tune of Rs.1,38,00,000/-. After negotiations, the petitioner agreed to pay Rs.98,00,000/-, out of which he paid Rs.20,00,000/- and issued four post-dated cheques for the balance amount. Based on this settlement, the intervenor informed the lower Court that a compromise had been reached and stated that he had no objection to the grant of bail.



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5. Contrary to the agreed settlement, the petitioner has neither honoured the cheque amounts nor taken steps to fulfill his commitment. The cheques were issued by the petitioner's father, and the de-facto complainant/intervenor has issued notice under Section 138 of the Negotiable Instruments Act. The bail cancellation petition filed before the Magistrate was dismissed. The petitioner's liability with regard to the four cheques stands confirmed. Suppressing these facts, the petitioner has now filed the present petition seeking further relaxation, while the investigation is still pending completion.

6. The learned counsel for the petitioner submitted that, with regard to the cheques, the petitioner does not dispute their issuance and would defend the same in accordance with law in the proceedings under Section 138 of the N.I. Act. It was further submitted that one of the four cheques has been honoured, and the de-facto complainant has already endorsed and transferred the remaining three cheques to third parties. The petitioner intends to defend his case appropriately in the proceedings under Section 138.

7. The learned Government Advocate submitted that the petitioner has complied with the condition imposed, and the investigation is now almost complete, with the charge sheet to be filed shortly.



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8. In view of the above, **the condition is relaxed**, leaving open all contentions and rival claims of the de-facto complainant with respect to the proceedings under Section 138 of the Negotiable Instruments Act.

28.07.2025

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To

1.The Inspector of Police,
V-3, J.J.Nagar Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras.

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