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Crl.O.P.No.16939 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16939 of 2025

G.Velu

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Thiruverkadu Police Station,
Avadi, Chennai.

Crime No.360 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.360 of 2025 on the file of the respondent.

For Petitioner : Mr.M.Elumalai

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.05.2025, for the offence punishable under Section 406, 420 I.P.C, in
Crime No.360 of 2025, registered on the file of the respondent, seek bail.



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2.The case of the prosecution is that the defacto-complainant approached one Mohan/A1 with an interest to purchase a vacant land in and around Thiruverkadu. The petitioner expressed his willingness to sell his property which was registered in his wife's name. However, due to petitioner's ill health, his wife had executed a general power of attorney in favour of said Mohan. Thereafter, the defacto-complainant agreed to purchase the said property for a sale consideration of Rs.13.5 lakhs. Pursuant to this, the defacto-complainant had paid a sum of Rs.2.5 lakhs directly to the petitioner as advance. The balance amount of Rs.9,92,000/- was paid to Mohan. Unfortunately, the execution of sale deed in favour of defacto-complainant could not be completed. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. The petitioner is in judicial custody from 29.05.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner is ready to settle the issue in view of his ill health condition. Hence, he prayed for grant of bail to the petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

5.At this juncture, the learned counsel for the petitioner voluntarily submitted that the petitioner, in order to show their bonafide, is ready and willing to deposit a sum of Rs.6,00,000/- (Rupees Six Lakh only) to the credit of Crime No.360 of 2025 without prejudice to his defence.

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

7.Considering the facts and circumstances of the case, the submission that the petitioner is willing to deposit an amount of Rs.6,00,000/- to the credit of Crime No.360 of 2025, and 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 directed to deposit a sum of



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Rs.6,00,000/- [Rupees Six Lakh Only] to the credit of Crime No.360 of 2025 before the trial Court, on such deposit and production of proof, 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 Judicial Magistrate II, Poonamallee, Thiruvallur.**

[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 daily at 10.30.a.m., for a period of three weeks; thereafter as and when required for interrogation;**

[c] the petitioner shall make himself 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



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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 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]**;

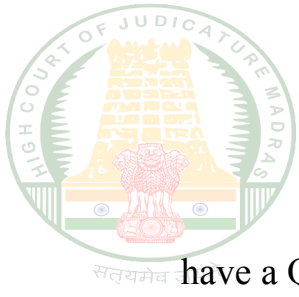
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

17.06.2025

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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



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have a QR code.
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To

- 1.The Judicial Magistrate II,
Poonamallee, Thiruvallur.
- 2.The Inspector of Police,
Thiruverkadu Police Station,
Avadi, Chennai.
- 3.Puzhal Jail.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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