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Crl.O.P.No.17834 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17834 of 2025

Nathiya

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
T-15, Kannaginagar Police Station,
Chennai
(Crime No.89 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection
with Crime No.89 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.G.Pandian

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.05.2025 for the offences punishable under Sections 318(4), 336(2), 336(3) of
BNS, in Crime No.89 of 2025, on the file of the respondent Police, seeks bail.



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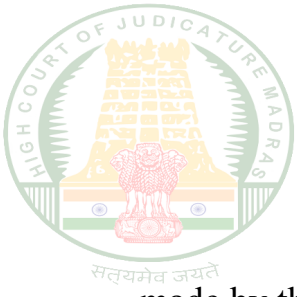
2. The case of the prosecution is that the accused, under the guise of selling a house, had received a sum of Rs.4 lakhs from the de facto complainant/victim and cheated the victim. Hence, the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that due to money dispute, a false complaint has been lodged against the petitioner and she had never made any false promise to the de facto complainant. However, the petitioner, without prejudice to her contention, is ready to deposit a sum of Rs.1.5 lakhs to the credit of crime number. Hence, he prayed for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that based on the complaint given by the de facto complainant, the petitioner was arrested on 13.05.2025.

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

6. Considering the facts and circumstances of the case, the submission



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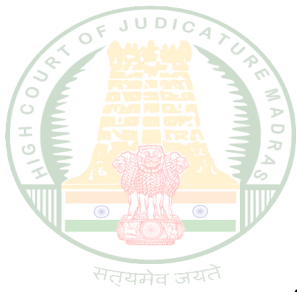
made by the learned counsel appearing on either side and taking note of the period of incarceration undergone by the petitioner and the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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 learned **District Munsif cum Judicial Magistrate, Sholinganallur**, and on further conditions that:

[a] **The petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One lakh and Fifty Thousand only) to the credit of Crime No.89 of 2025 and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties;**

[b] 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;

[c] **the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for**



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interrogation;

[d] the petitioner shall not abscond either during investigation or trial and he shall make herself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] 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;

[g] 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];**

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

8. The petitioner, on depositing the said amount, the Court below shall



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deposit the same in the interest bearing fixed deposit scheme in any one of the nationalized banks.

27.06.2025

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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 District Munsif cum Judicial Magistrate,
Sholinganallur.
2. The Inspector of Police,
T-15, Kannaginagar Police Station,
Chennai.
3. The Superintendent,
Central Prison - Women, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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