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Crl.O.P.No.18370 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18370 of 2025

Subin M

... Petitioner/A3

Vs.

State Rep. by
The Inspector of Police,
T-10, Thirumulaivoyal Police Station,
Thirumulaivoyal, Avadi Police District,
Tiruvallur District.
(Crime No.554 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.554 of 2024 on the file of the Inspector of Police, Thirumulaivoyal,
Avadi, Tiruvallur District.

For Petitioner : Mr.A.Raveechandran

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 17.06.2025, for the offence punishable under Sections 406 & 420 of IPC
in Crime No.554 of 2024, registered on the file of the respondent, seeks bail.



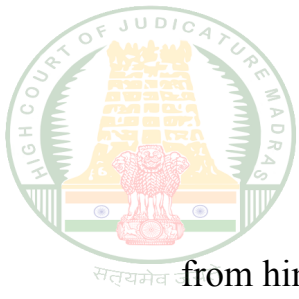
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2. The case of the prosecution is that the petitioner is running a company named Jaya Auto Consultancy company. Moreso, the petitioner obtained a sum of Rs.12,25,000/- towards purchase of car from the defacto complainant. Though the payment has been made by the defacto complainant the petitioner has neither returned the car nor the money. Hence the case.

3. The learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. He further submits that without prejudice to his defence, the petitioner is ready and willing to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.554 of 2024. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police submits that A1 and A2 are employed under the petitioner company. The petitioner has collected a sum of Rs.12,25,000/- from the defacto complainant towards purchase of car. However, in order to wriggle out of the situation, the petitioner admits the bank transaction between the petitioner and the defacto complainant however, he denied the cash received



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

6. Considering the facts and circumstances of the case and considering the period of incarceration and also the submissions made by the learned counsel on either side, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.554 of 2024 and the trial Court shall deposit the same in an interest bearing account and on such deposit, the petitioner is ordered to be released on bail on their 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, Ambattur and on further conditions that:

[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



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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., until further orders

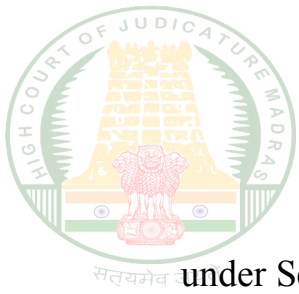
[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[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 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



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under Section 269 of 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 the official website of this Court will be watermarked and will also have a QR code.

To

1.Judicial Magistrate, Ambattur

2. The Inspector of Police,
T-10, Thirumulaivoyal Police Station,
Thirumulaivoyal, Avadi Police District,
Tiruvallur District.

3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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