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Crl.O.P.No.18658 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18658 of 2025

P.Sellasubramanian @ Sellasubramani

... Petitioner/A2

Vs.

The State Rep. by its,
The Inspector of Police,
Economic Offence Wing,
Tiruppur.
(Crime No.1 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.1 of 2025 on the file of the Inspector of Police, Economic Offence Wing,
Tiruppur.

For Petitioner : Mr.B.Kumarasamy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.09.2024, for the offence punishable under Sections 120(B), 409, 420
of IPC and Section 4 of TNPID Act and Section 21(3) of BUDS Act in
Crime No.1 of 2025, registered on the file of the respondent, seeks bail.



Crl.O.P.No.18658 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner is arrayed as

A2. The first accused was running a firm in the name and style of Banyan Tree Marketing Pvt. Ltd.,(BTM). The petitioner is working as a manager in the company of A1. The petitioner along with A1 have canvassed the defacto complainant and others to invest their money in different monthly schemes by giving false assurance of tripling the said amount. Believing their words, the defacto complainant and others have deposited money in the bank accounts of the petitioner and A1. However, the accused persons have failed to return the money deposited by the defacto complainant and others. 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.6,00,000/- (Rupees Six Lakhs only) to the credit of Crime No.1 of 2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the



Crl.O.P.No.18658 of 2025

WEB COPY

respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and has also submitted a status report before this Court wherein it is stated that the petitioner along with other accused persons have canvassed the defacto complainant to make an investment in the above said company. On the basis of the assurance given by the accused persons, the defacto complainant along with other persons have deposited a sum of Rs.26,68,580/- and it is also stated that the petitioner has received a sum of Rs.11,01,330/- as commission through his bank account. It is also stated that A1 has been arrested and released on bail and that the petitioner has actively participated in the offences committed by the aforesaid company. Hence, he vehemently opposed to grant bail to the petitioner.

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.



CrI.O.P.No.18658 of 2025

WEB COPY

7. Accordingly, the petitioner shall deposit a sum of Rs.6,00,000/- (Rupees Six Lakhs only) to the credit of Crime No.1 of 2025 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 Special Judge, Special Court under TNPID Act, Coimbatore 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 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



WEB COPY



CrI.O.P.No.18658 of 2025

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]**;

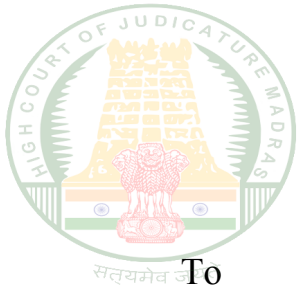
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09.07.2025

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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.



CrI.O.P.No.18658 of 2025

To
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- 1.The Special Judge,
Special Court under TNPID Act, Coimbatore
2. The Inspector of Police,
Economic Offence Wing,
Tiruppur.
- 3.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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Crl.O.P.No.18658 of 2025

Crl.O.P.No.18658 of 2025

09.07.2025