



Crl.M.P.Nos.13443 & 13444 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.M.P.Nos.13443 & 13444 of 2025
in Crl.OP.Nos.7894 & 7770 of 2025

Crl.MP.No.13443 of 2025
in Crl.OP.No.7894 of 2025

S.P.N.Sathyamurthy

... Petitioner

Vs.

1.Francis
2.The State rep by
Inspector of Police,
Beta-7, EDF-III,
Central Crime Branch,
Vepery, Chennai – 600 007.
FIR Cr.No.06 of 2024

... Respondents

Crl.MP.No.13444 of 2025
in Crl.OP.No.7770 of 2025

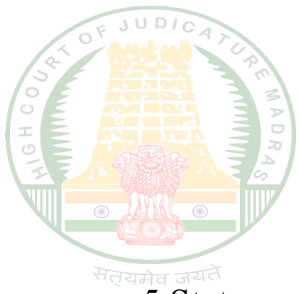
S.P.N.Sathyamurthy

... Petitioner

Vs

1.Stella
2.Robin
3.F.Pearlin
4.F.Herson

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5 State rep. By
The Inspector of Police,
Beta-7, EDF – III,
Central Crime Branch,
Vepery, Chennai – 600 007.
FIR Cr.No.06 of 2024

... Respondents

PRAYER in CRL.MP.No.13443 of 2025 : Criminal Miscellaneous Petition filed under Section 483 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023, to cancel the anticipatory bail granted to the 2nd accused in Crl.OP.No.7894 of 2025 dated 25.04.2025.

PRAYER in CRL.MP.No.13444 of 2025 : Criminal Miscellaneous Petition filed under Section 483 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023, to cancel the anticipatory bail granted to 3rd to 6th accused in Crl.OP.No.7770 of 2025 dated 25.04.2025.

In both Criminal MPs'

For Petitioners : Mr.S.Manuraj for Mr.M.Senthilkumar
(in both Crl.MP.Nos.)

For Respondent : Mr.S.Arunkumar for R1
Mr.S.Udayakumar
Government Advocate (Crl.side) for R5
(in Crl.MP.No.13443 of 2025)

: Mr.S.Arunkumar for R1 to R4
Mr.S.Udayakumar
Government Advocate (Crl.side) for R5
(in Crl.MP.No.13444 of 2025)



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COMMON ORDER

This Court finds that the Hon'ble Supreme Court, while setting aside the earlier order of anticipatory bail, had directed this Court to consider the matter afresh, preferably within a period of two weeks. When the matter was listed earlier, there was no representation for the petitioner. Hence, it was posted today.

2. Today, the learned counsel appearing for the petitioner sought time, stating that parties have decided to engage another counsel. Since the petitioner is aware of the order of the Hon'ble Supreme Court, his appearance in person before this Court cannot be a ground to seek adjournment, particularly when there is a specific direction that this Court to decide the anticipatory bail petition within the time fixed.

3. The Petitions for anticipatory bail apprehending arrest in Crime No.06 of 2024 for the alleged offence punishable under Sections 406 and 420 of IPC.

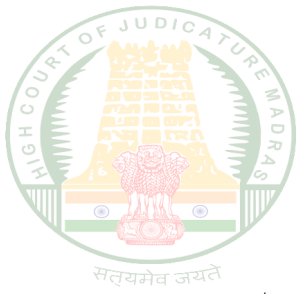
4. The case of the defacto complainant is that these petitioners posed themselves as experts in installing units for manufacturing polypropylene woven



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bags and induced the defacto complainant to part with Rs.2,50,00,000/-, out of which, Rs.2,12,50,000/- was paid through RTGS and Rs.37,50,000/- was paid by cash. Pursuant to the said transfer of money, the petitioner in Crl.OP.No.7894 of 2025 as Managing Director of F. Robin Polymers Pvt. Ltd., had given a letter acknowledging the receipt of Rs.2,50,00,000/- and promised to complete the contract of constructing the factory building within three months from the date of the letter dated 03.06.2023. However, the construction has not taken place. Later, the defacto complainant realized that the petitioners cheated him with an intention to deceive him and made him part with Rs.2,50,00,000/-. When he requested them to repay the money, they gave a cheque for Rs.50 lakhs and the same was returned.

5. He further submitted that based on the letter and the cheque which was bounced for want of instructions “payment stopped”. He further submits that there was a transaction between the defacto complainant and the petitioners regarding the supply of 144 tonnes of polymer bags. The petitioners received money from the complainant, however the defacto complainant failed to take delivery of the goods inspite of being intimated about the readiness of the petitioners to supply 144 tonnes of polymer bags. It is a civil dispute regarding

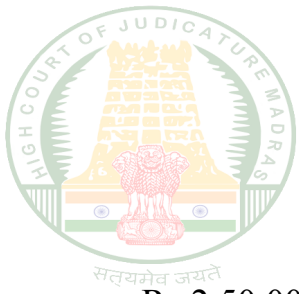


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payment received for supply of goods and the petitioners are ready to supply, whereas the defacto complainant having failed to receive the goods had given a criminal colour to the civil transaction and filed a complaint.

6. The learned Government Advocate (Crl.Side) submits that the petitioners herein were anticipatory bail by this Court on 25.04.2025, wherein this Court has imposed condition on the petitioners to deposit a sum of Rs.50 lakhs without prejudice to their defence and participate in the investigation. However, the petitioners did not participate in the investigation, but instead approached the Hon'ble Supreme Court seeking modification of the condition of depositing Rs.50 lakhs, being the onerous condition. The Hon'ble Supreme Court has considered the said fact and set aside the order granting anticipatory bail, holding that the direction to deposit Rs.50 lakhs is an onerous condition. However, it is left open to this Court to decide the anticipatory bail petitions on merits and on such circumstances, the matter has been taken up today for consideration.

7. This Court, on perusing the FIR as well as the letter of contract executed by the Managing Director of the accused company on 01.06.2023, and the letter of acceptance issued by him on 03.06.2023, clearly indicates that the money of



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Rs.2,50,00,000/- was parted away from the defacto complainant not for supply of 144 tonnes of polymer bags, but for construction of a polypropylene woven bags manufacturing unit. Thus, it is very clear that at inception, to cheat the defacto complainant, the petitioners made the defacto complainant deliver Rs.2,50,00,000/- without any intention to construct the polypropylene woven bags manufacturing unit.

8. In the said circumstances, this Court is of the view that this is not a case of civil nature given criminal colour, but a pure act of cheating. Hence, the petitions seeking anticipatory bail stand dismissed.

9. In view of the dismissal of anticipatory bail petitions, these Criminal Miscellaneous Petitions seeking cancellation of anticipatory bail stand allowed.

28.08.2025

drl



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To

- 1.The Metropolitan Magistrate Exclusive
Trial for CCB and CBCID, Egmore.
- 2.The Inspector of Police,
Beta-7, EDF-III,
Central Crime Branch,
Vepery, Chennai – 600 007.
- 3.The Public Prosecutor,
High Court of Madras.



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Dr. G.JAYACHANDRAN, J.

drl

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in Crl.OP.Nos.7894 & 7770 of 2025

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