



Crl.O.P.No.19242 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19242 of 2025

Venkatesan

... Petitioner

Vs.

State of Tamilnadu rep by
Inspector of Police,
T6, Avadi Police Station,
Chennai.
(Cr.No.317 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.317 of 2025 pending on the file of the respondent police.

For Petitioner

: Mr.N.Bhaskaran

For Respondent

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



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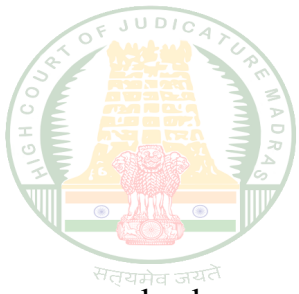
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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 09.06.2025, for the offences punishable under Sections 406, 420, 294(b), 506(i) IPC in Crime No.317 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner had acquaintance with the defacto complainant through their water car wash shop, wherein the petitioner represented to purchase Mini Coach bus for which obtained Rs.27,10,000/-, but he did not hand over any bus as promised, but returned only Rs.8,50,000/-. When the defacto complainant demanded for return of balance amount, the petitioner abused him in filthy language and threatened him with dire consequence and refused to return the amount. The petitioner is due to return of Rs.18,60,000/- . Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is running a service station, where the defacto complainant used to leave his vehicles for service and thereby they know each other. The defacto complainant sought for a mini bus permit and for which, the petitioner identified the power brokers for the same and the amount of Rs.27,10,000/- was given to the power

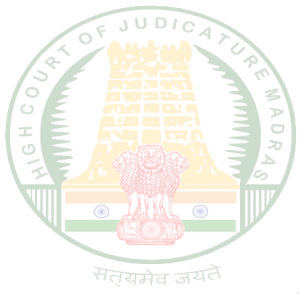


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brokers and thereafter, neither the permit nor the amount has been paid for which the petitioner and his son had been made as scapegoat. Infact, the petitioner's Innova car worth about Rs.15,00,000/- has been taken over by the defacto complainant. . He further submits that petitioner is prepared to comply with any stringent conditions this Court may impose. He, therefore, prayed that bail be granted.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that petitioner and his son are running a service station. They have claimed that they have good contacts with the men in power and promised that he can get mini bus permit which the government has newly introduced. Believing the same, the defacto complainant had paid Rs.27,10,000/- for permit. Later, they were unable to get the permit and with lot of persuasions, they have returned back Rs.18,60,000/-. Both A1 and A2 are due to the tune of Rs.18,60,000/-.

5. At this juncture, the learned counsel for the petitioner submits that the petitioner's Innova Car has been taken by the defacto complainant and not returned.



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6. The learned Government Advocate (Crl.Side) on instructions submitted that Innova Car is not with the defacto complainant. It is with the petitioner.

7. Considering the nature of allegations and the submission that the petitioner is willing to deposit an amount of Rs.9,30,000/- to the credit of Crime No.317 of 2025, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on executing his bond for a sum of Rs.10,000/- with two sureties, for a like sum to the satisfaction of the learned **Judicial Magistrate Court-II, Poonamalle** 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 is directed to deposit a sum of Rs.9,30,000/- (Rs.Nine lakhs and thirty thousand only) to the credit of Crime No.317 of 2025 /- and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties. The learned**



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

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[d] the petitioner shall make themselves 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;

[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.

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Vv

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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 Judicial Magistrate-II,
Poonamalle
- 2.The Inspector of Police,
T6, Avadi Police Station,
Chennai.
- 3.The Central Prison, Puzhal
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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