



Crl.O.P.No.20190 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.20190 of 2025

Sampath

.. Petitioner

Vs.

State rep. by  
Sub Inspector of Police  
Mangadu Police Station,  
Mangadu, Kanchipuram District.  
Crime No.362 of 2025

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail in Crime No.362 of 2025 pending investigation on the file of respondent police.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.side)

**ORDER**

The petitioners, who were arrested and remanded to judicial custody on 02.07.2025, for the offence punishable under Sections 465, 468, 467, 471 and 420 of I.P.C. in Crime No. 362 of 2025, registered on the file of the respondent, seeks bail.

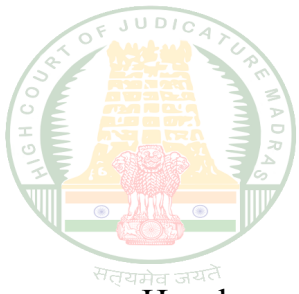


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2. The case of the prosecution is that there are totally three accused in this case, and the petitioner is arrayed as A3. The defacto complainant, one Andal, lodged a complaint on 27.08.2025 stating that the 1<sup>st</sup> and 2<sup>nd</sup> accused had approached her in the year 2015 and persuaded her to purchase a flat at Semmanjeri Housing Board area. Believing their representation, the defacto complainant, along with her family members and others, paid a sum of Rs.7,40,000/- in three instalments between 27.12.2015 and 29.01.2016. Subsequently, A1 and A2 introduced the petitioner/A3 to the defacto complainant, who allegedly handed over a house allotment receipt and keys to the said flat. However, when the defacto complainant personally visited the site, she was shocked to find that the allotment papers and the key given by the petitioner were fake. Thus, it is alleged that the petitioner, in collusion with A1 and A2, had cheated the defacto complainant to the tune of Rs. 7,40,000/- by dishonestly inducing her under the false pretext of allotting a government flat. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.



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He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 02.07.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. 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 the petitioner was arrested on 02.07.2025.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the period of incarceration undergone 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 his 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**



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**Magistrate, Sriperumbudur, Kanchipuram District** 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.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) each to the credit of Crime No.362 of 2025 and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties. The learned concerned magistrate shall deposit the same in the interest bearing fixed deposit scheme in any one of the nationalised banks.**

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

[d] the petitioner shall make himself 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;



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[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 petitioners 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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**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, Sriperumbudur, Kanchipuram.
2. Sub Inspector of Police  
Mangadu Police Station,  
Mangadu, Kanchipuram District.
3. The Central Prison, Puzhal
4. The Public Prosecutor,  
High Court, Madras.



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**M.NIRMAL KUMAR, J.**

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