



Crl.O.P.No.21633 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21633 of 2025

A.Karthik

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Erode South Police Station,
Erode
Crime No.137 of 2025

... Respondent

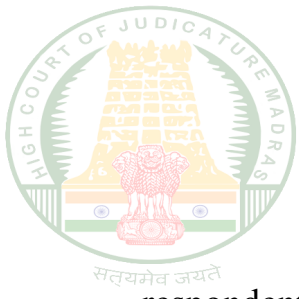
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.137 of 2025 on the file of the respondent police.

For Petitioner : Mr. M.R.Sai Vathshan

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.05.2025, for the offences punishable under Section 316(5) and 318(4) of Bharatiya Nyaya Sanhita, 2023 in Crime No.137 of 2025 on the file of the



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respondent, seeks bail.

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2. The case of the prosecution is that the petitioner was employed as an Executive in M/s.Vistaar Finance, Erode to handle the customers and to process their loan requirements. Defacto Complainant has approached M/s.Vistaar Finance for availing mortgage loan for a sum of Rs.11,50,000/-. It was informed by the petitioner to the defacto Complainant to open a bank Account in Equitas Small Finance Bank and to handover 7 cheque leaves of that account to M/s. Vistaar Finance. Even after completion of all formalities, the loan amount was not credited to the defacto Complainant's account. On 23.07.2024, it was informed by M/s. Vistaar Finance Head Office to pay the EMI for the availed mortgage loan by 05.08.2024. On verification of his Bank Account, it was found that the loan amount had been credited to his account and the same had been transferred to the account of one Shanthi, who is the Accused-2 in this case. Hence, the complaint was filed against the petitioner.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence. 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



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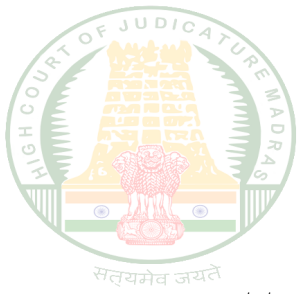
to the petitioner.

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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 17.05.2025. He also submitted that Accused-2 in this case had been granted bail. It is his further submission that the loan amount of Rs.11,50,000/- had been credited and transferred to one Shanthi without the defacto complainant's knowledge, for which he is paying EMI till date.

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

6. On perusal of records, it is seen that the petitioner had taken mortgage loan and he had given his property of 750 sq.ft as security. Thereafter, the loan of Rs.11,50,000/- has been processed. At the time of loan process, the petitioner had obtained signature from defacto Complainant on several cheques. simultaneously, the petitioner had opened account in a Bank. Accused-2 to Accused-5 taking advantage of lack of knowledge and innocence of the defacto complainant, using his pre-signed documents, had transferred the loan amount of Rs.11.5 lakhs from his account and thereafter routed to other accounts of Accused-3, Accused-4 and Accused-5. Infact, the petitioner has been behind the entire operation and withdrawal. Accused-2/Revathi had infact transferred the



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amount to one Karthik and Gowrishankar. The petitioner had been the backbone for the entire transaction.

7. Considering the above facts and circumstances of the case, nature of allegations and taking note of the submission made by the learned Government Advocate (Criminal Side), this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the Criminal Original Petition stands dismissed.

01.08.2025

Shl

To

1. The Judicial Magistrate No.III, Erode
2. State rep by Inspector of Police
Erode South Police Station,
Erode.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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