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Crl.OP.No. 21875 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24-09-2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.21875 of 2025

and

Crl.M.P.No. 17827 of 2025

- 1.Prabhakaran @ Mariam Prabhakaran
- 2.Senthil @ Chenthil Perumal
- 3.Arun @ Arun Prasad
- 4.Satheesh @ Satheesh Rathinam
- 5.Rajaguru

... Petitioners/A1 to A5

Vs.

State Rep by
The Inspector of Police,
Central Crime Branch – I,
Chennai District,
Crime No.82 of 2025.

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest of their arrest by the respondent police in Crime No. 82 of 2025 on the file of the respondent police.

For Petitioners : Mr.D.Bennington
For Intervenor : Mr.R.Thirumoorthy
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)



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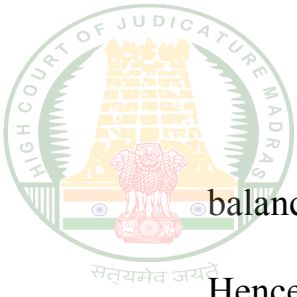
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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 506(i), and 120(B) of IPC, in Crime No. 82 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st petitioner was running a M/s.Cumbum Valley Winery Private Limited. The said company deals with carrying on business of Design, Engineering, Procurement, Construction, Operation, and maintenance of municipal and industrial units in India and abroad and also deals with storm water drainage management and other related work. Subsequently, the 1st petitioner had received a sum of Rs.10,00,00,000/- from the de-facto complainant viz., M.Raghu, Managing Director of the company with the promise of giving sub-contract of sand mining. Since the petitioners were unable to get license from the Government immediately, they have informed the same to the de-facto complainant. In the meanwhile, the petitioners had repaid a sum of Rs.1,50,00,000/- as per requested by the de-facto complainant and the



balance amount of Rs.8,50,00,000/- has not been repaid by the petitioners.

Hence the case.

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3. The learned counsel appearing for the petitioners submitted that the petitioners have received only a sum of Rs.6,00,00,000/- and they had repaid a sum of Rs.1,50,00,000/- to the de-facto complainant and now, they are ready to repay the balance amount. He further submitted that the petitioners carrying on business starting from October 2021 and they are paying profits of the company regularly to the de-facto complainant after investing money. He further submitted that the petitioners have filed a suit in O.S.No. 6898 of 2024 is pending on the file of IV Assistant City Civil Court, Chennai, against the de-facto complainant. The dispute between the petitioners and the de-facto complainant is purely civil in nature. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the petitioners had received a sum of Rs.10 Crore from the de-facto complainant for the purpose of sand mining contract. After receiving money, the said amount was transferred to the various accounts of the petitioners herein. However, the amounts received by the petitioners herein have not been utilized for some other purposes. Thereby, the de-facto complainant has been cheated. He further submitted that totally five accused in this case and already two accused were arrested and remanded into judicial custody. He further submits that investigation has been pending. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

5.The learned Counsel for the Intervenor/De-facto complainant submitted that the petitioners had received a sum of Rs.10,00,00,000/- (Ten Crores) from the de-facto complainant for purpose of sand mining contract. After receiving money, the said amount diverted into various accounts of the petitioners herein for some other purposes. After investing money by the de-facto complainant, there was no steps taken by the petitioners to use the money.



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Thereafter, a Memorandum of Understanding had entered into between the parties. The profits of the company were diverted into various accounts of the petitioners herein and the same were invested for other business transactions and also failed to return the aforesaid amount to the defacto complainant. The de-facto complainant acknowledged and received a sum of Rs.1,50,00,000/- from the petitioners. Apart from that there is no amount has been repaid by the petitioners. Therefore, the learned Counsel for the Intervenor opposed for grant of anticipatory bail to the petitioners.

6. Considering the fact that the petitioners along with other accused had collected to the tune of Rs.10,00,00,000/- by promising sand mining contract, and the said amount diverted into the various accounts of the petitioners herein for some other business transactions, and considering the gravity of the offences were committed by the petitioners and the submissions made by the learned counsels on either side, considering the fact that the investigation in this case is yet to be concluded. Since the investigation in this case is yet to be completed, at this stage, this Court is not inclined to grant bail to the petitioners.



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7. Accordingly, this Criminal Original Petition stands dismissed.

24.09.2025

MSM

To

1.The Metropolitan Magistrate for Exclusive
Trial of CCB and CBCID Cases at Egmore, Chennai.

2.The Inspector of Police,
Central Crime Branch – I,
Chennai District,
Crime No.82 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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