



Crl. R.C. No. 1416 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 12.08.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. R.C. No. 1416 of 2025

1.Thulasi Raja

2.Rajeswari Selvakumar

... Petitioners

Vs.

State rep. by

The Deputy Superintendent of Police,

Economic Offences Wing,

Chengalpattu.

Cr.No.1 of 2025

... Respondent

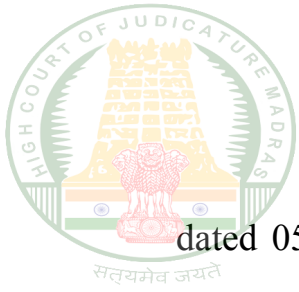
Prayer: Criminal Revision is filed under Section 397 r/w 401 of Cr.P.C., to call for the records in Crl.M.P.No.2219 of 2025 on the file of the Chief Judicial Magistrate, Chengalpattu and set aside the order dated 05.08.2025 made in Crl.M.P.No.2219 of 2025.

For Petitioners : Mr. S. Karthikeyan
for Mr. Balaji Sankara Moorthy

For Respondent : Mr.A.Gopinath
Govt. Advocate (Crl.side)

ORDER

This Criminal Revision Case has been preferred as against the onerous condition imposed in Crl. M.P. No. 2219 of 2025 in Crime No.1 of 2025



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dated 05.08.2025 on the file of the Chief Judicial Magistrate, Chengalpattu

WEB C while granting bail to the petitioners.

2. The petitioners are arrayed as 2nd and 4th accused in Crime No.1 of 2025 registered for the offences punishable under Section 406, 420, 506(ii) r/w 34 IPC, Section 5 of TNPID Act, 1997, Section 76(1) of the Chit Fund Act, 1982 and Sections 21(1), 21(2), 21(3) of Buds Act, 2019.

3. In pursuant to the registration of FIR, they were arrested and remanded to the judicial custody on 26.05.2025. Even after the completion of statutory period, the respondent failed to complete the investigation and filed final report in Crime No.1 of 2025. Therefore, the petitioners filed a petition for default bail under Section 167(2) of Criminal Procedure Code. Their applications were considered and they were granted bail on condition that the petitioners shall deposit a sum of Rs.20 lakhs each in Crime No.1 of 2025 with two Government sureties that too with the salary, after deduction not less than Rs.1,00,000/-.

4. Admittedly the petitioners had filed petition for default bail under Section 167(2) of Cr.P.C. When they are entitled for default bail by invoking



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their indefeasible right, the trial Court ought not to have imposed any onerous condition.

5. In view of the above, the condition of depositing of Rs.20 lakhs each with two Government sureties are deleted.

6. Accordingly, this Criminal Revision Case is allowed and the order dated 05.08.2025 made in Crl.M.P.No.2219 of 2025, on the file of the learned Chief Judicial Magistrate, Chengalpattu, is hereby set aside. The petitioners are ordered to be released on bail on their execution of separate bonds for a sum of Rs.25,000/- (Rupees twenty five thousand only), with two sureties, each for a like sum to the satisfaction of the Chief Judicial Magistrate, Chengalpattu and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.



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[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.08.2025

Index : Yes/No
Neutral citation : Yes/No
AT

Note: Issue order copy on 12.08.2025

To

1.The Chief Judicial Magistrate, Chengalpattu.

2.The Deputy Superintendent of Police,
Economic Offences Wing, Chengalpattu.

4. The Superintendent,
Central Prison, Puzhal – III, Chennai.

3.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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