



WEB COPY



Crl.OP.No.23102 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM

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

Crl.O.P.No.23102 of 2025

Ashok Kumar

... Petitioner

Vs.

State represented by,
Additional Superintendent of Police,
EOW Chennai.
(Cr.No.1 of 2024)

... Respondent

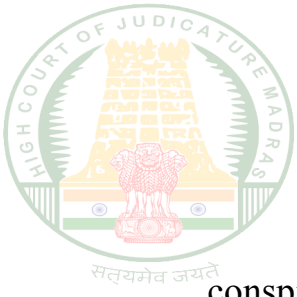
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.1 of 2024 on the file of respondent police.

For Petitioner : Mr.M.Manimaran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.06.2025, for the offence punishable under Sections 409, 420 r/w 120B of
IPC, Section 5 of TNPID Act and under Section 21(1)(2)(3), 23 and 25 of
BUDS Act, in Crime No.01 of 2024, registered on the file of the respondent,
seeks bail.



WEB COPY



Crl.OP.No.23102 of 2023

2. The allegation against this petitioner along with other accused conspired with each other and cheated the defacto complainant by giving false assurance that their company, in the name and style of Sri Sai Cars at Tambaram, would take his car on a monthly rental basis. Subsequently, the petitioner and other accused paid for three months, but thereafter, the accused persons evaded the payment. Hence, the complaint.

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 has not committed any offence as alleged in the F.I.R. He further submitted that co-accused was released on bail before this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, reiterated the prosecution case and submitted that the investigation in this case has been completed and the final report has also been filed. Hence, he opposed for grant of bail to the petitioner.

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



WEB COPY

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, that investigation in this case has been completed and the final report has also been filed, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Special Judge under the Tamil Nadu Protection of Interest Depositors Court, Chennai** 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 shall report before the trial Court everyday at 10.30 a.m., for a period of fifteen days and thereafter, on all hearing dates;



WEB COPY



CrI.OP.No.23102 of 2025

[c] 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 petitioners 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]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

17.09.2025

kmm

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.



CrI.OP.No.23102 of 2023

To

1. The Special Judge under the Tamil Nadu Protection of Interest Depositors Court, Chennai

WEB COPY

2. The Additional Superintendent of Police,
EOW Chennai.

3. The Superintendent,
Central Prison, Puzhal II.

4. The Public Prosecutor
High Court, Madras.



WEB COPY



Crl.OP.No.23102 of 2025

K.RAJASEKAR J.

kmm

Crl.O.P.No.23102 of 2025

17.09.2025