



Crl.O.P.No.23872 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2025

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THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Crl.O.P.No.23872 of 2025

Vijayasarithi

... Petitioner

Vs.

The State represented by its

The Inspector of Police,

T-16, Semmanchery Police Station, Pallikaranai Police District.

(Crime No.461 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.461 of 2024 on the file of the Inspector of Police, T-16, Semmanchery Police Station, Pallikaranai Police District.

For Petitioner : Mr.A.V.Balusamy

For Respondent : Mr.L.Baskaran

Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.08.2025, for the alleged offence under Sections 316 (2), 318 (4) of BNS, 2023, in Crime No.461 of 2024, registered on the file of the respondent, seeks bail.



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2.The case of the prosecution is that, the defacto-complainant is a Doctor by profession. The petitioner got acquainted with the defacto-complainant through his friend and introduced himself as the owner of Vijay Finance Limited. Further, the accused have induced him by stating that he had obtained foreign direct investment for his hospital and, on that pretext, received money from him to the tune of Rs.39,32,675/- on various occasions. However, the accused deliberately failed to secure the investment as assured and thereby cheated him. When the defacto-complainant demanded repayment of his money, the accused issued a cheque for Rs.31,50,000/-, but intentionally wrote the defacto-complainant's name incorrectly. When questioned about the same, the accused threatened him with dire consequences. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and has been falsely implicated in this case. He further submits that the petitioner is in judicial custody from 07.08.2025 and hence, further custody of the petitioner is not required. Hence, prayed for grant of bail to the petitioner.



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4.The learned Government Advocate (Criminal side) appearing for the respondent Police reiterated the prosecution case and opposed for grant of bail to the petitioner.

5.Heard the learned counsels on either side and perused the records.

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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 **Judicial Magistrate, Shollinganallur**, 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,



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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 respondent Police daily at 10.30 a.m. until further orders;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner 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]**;

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

29.08.2025

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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.



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To

- 1.The Judicial Magistrate, Shollinganallur.
- 2.The Inspector of Police,
T-16, Semmanchery Police Station, Pallikaranai Police District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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N.SATHISH KUMAR, J.

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