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CRL OP No. 23881 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 23881 of 2025

SUBRAMANI

Petitioner(s)

Vs

The State rep by The Inspector of Police
Vellore District, Crime Branch Vellore District, Tamil
Nadu, Crime No.3 of 2025.

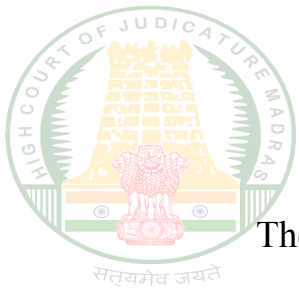
Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to_enlarge the Petitioner on bail in Crime
No.3/2025 pending on the file of the Respondent police.

For Petitioner(s): Mr.R. Hari

For Intervenor: Mr.D.Thirumoorthy

For Respondent(s): Mr. A. Gopinath, Government
Advocate-Criminal Side,

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 06.08.2025, for the offences punishable under Sections 406, 420, 294(b), 506(1) and 120B of IPC, in Crime No.3 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner and other accused cheated the defacto complainant by taking money to purchase lorries, which were seized by the bank. One lorry was bought in the name of the petitioner's brother (A3), but since the lorries were in poor condition, the deal didn't go through. Despite this, the petitioner and other accused have not returned the money, amounting to Rs.80,46,500/-.

3.The learned counsel appearing for the petitioner would submit that the transactions taken place between the parties is a commercial transaction and both were known to each other and regularly they used to purchase and sell the lorries. Since there was a misunderstanding between the petitioner and the defacto complainant, a false case has been foisted against him. He would further submit that already the petitioner repaid a sum of Rs.76,00,000/- to the defacto complainant. There are several transactions including cheque handing over to the petitioner and exchange of legal notices between the parties.



4. The learned counsel appearing for the defacto complainant would submit that huge amount has been received by the petitioner herein on the pretext that he would supply the lorries and subsequently when the lorries found to be defective, had taken back and also dismantled the lorries, thereby he has been cheated by the petitioner.

5. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner was arrested and remanded to judicial custody on 06.08.2025 and one lorry was also recovered from him and the investigation is under progress since one of the accused/A2 is absconding.

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

7. Facts placed before me shows that there are exchange of notices including allegations of handing over the cheques and issuances of notices under Section 138 of NI Act and the counter allegations leveled by the petitioner that he has also handed over huge sum of Rs.76,00,000/- through account numbers. These facts have to be investigated by the officers. However, the facts relating to the allegations are covered by the documents ahead the petitioner is in custody from 06.08.2025 and further continuation of custody of



the petitioner is not necessary. Accordingly, this Court is inclined to grant bail to the petitioner with certain conditions.

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8. 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 **Judicial Magistrate IV, Vellore** 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 respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[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

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be registered under Section 269 of B.N.S.

16-09-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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.



To
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- 1.The State rep by The Inspector of Police
Vellore District, Crime Branch Vellore
District,Tamil Nadu, Crime No.3 of
2025.
- 2.The Judicial Magistrate No.IV,
Vellore District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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