



WEB COPY



Crl.OP.No.24232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24232 of 2025

V.Elumalai

... Petitioner

-VS-

The State rep by,
The Inspector of Police,
EOW Tiruvannamalai Police Station,
Tiruvannamalai District.
(Crime No.2 of 2025)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.2 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

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



ORDER

The Petitioner, who was arrested and remanded to judicial custody on

09.08.2025 for the alleged offences punishable under Section 316, 316(4), 336, 340, 344 of BNS Act (Corresponding Section 406, 408, 468, 471, 477A of IPC) in Crime No.2 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the accused misappropriated funds of Rs.2,88,72,180/- for the period between 14.06.2024 to 12.12.2024 in Tiruvannamalai Central Co-Operative Society Bank Limited at Tiruvannamalai East Branch. Based on the audit report dated 05.05.2025 and found that the accused had misappropriated funds belong to society. All the accused sanctioned fake jewels loans. Hence the Deputy Registrar of the Co-Operative Society lodged a complaint. Hence this case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that in the petitioner sanctioned fake gold jewels loan. If the petitioner released on bail he tamper the evidence. However, he



vehemently opposes grant of bail to the petitioner.

WEB COPY

5. Considering the facts and circumstances, and further considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (**one blood surety**), for a like sum to the satisfaction of the *learned Judicial Magistrate-II, Tiruvannamalai*, 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 petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. for the period of three months and the petitioner is directed to co-operate the investigation proceedings;

(c) the Petitioner shall not tamper with evidence or witness either during investigation or trial;



WEB COPY



Crl.OP.No.24232 of 2025

(d) the Petitioner shall not abscond 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]***; and;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.09.2025

rna

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

4/6



Crl.OP.No.24232 of 2023

this Court will be watermarked and will also have a QR code.

WEB COPY

To

- 1.The learned Judicial Magistrate-II, Tiruvannamalai.
- 2.The Inspector of Police,
EOW Tiruvannamalai Police Station,
Tiruvannamalai District.
- 3.The Superintendent of Prison,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras



WEB COPY



Crl.OP.No.24232 of 2025

T.V.THAMILSELVI, J.

rna

Crl.O.P.No.24232 of 2025

10.09.2025