



WEB COPY

CRL OP No. 28842 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28842 of 2024

1. Senthilkumar

S/O.Paramasivam, No.964, Gangai
Street, Highways Nagar, Villupuram
District. and 2 Others

2. Ebrin alias Prabhu

S/O.Kandaiah, No.42, RR Nagar,
Sakkarakuttai, Pallikuppam Post,
Katpadi Vellore.

3. Sharmila Ebrin

W/o.Ebrin @ Prabhu, No.42, RR
Nagar, Sakkarakuttai, Pallikuppam
Post, Katpadi Vellore.

Petitioner(s)

Vs

1. The State Rep By

The State by The Inspector of Police, E-
2, Peelamedu Police Station (L AND O),
Coimbatore City. (Crime No.851/2023)



Respondent(s)

PRAYER

To enlarge the Petitioners on bail in the event of their arrest in respect of Crime No.851 of 2023 on the file of the Inspector of Police, E-2, Peelamedu Police Station (L AND O), Coimbatore City, pending investigation

For Petitioner(s): K Mohan Raj

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the offences under sections 420 & 120(b) of IPC in Crime No.851 of 2023, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners joined hands with two other accused, promising to secure an MBBS seat for the de facto complainant, and making various types of promises, they collected a sum of Rs.50 lakhs, and subsequently, cheated the defacto complainant.

3. The learned counsel for the petitioners submitted that the first petitioner has already returned Rs.17 lakhs and seeks further time for repayment, and further submitted that there is no intention to cheat the de facto complainant. Hence prays to grant anticipatory bail to the petitioners.



4. The learned counsel for the intervenor submitted that the defacto complainant was working at Oman (Gulf country) and was cheated by the petitioners, who made various promises and collected Rs.50 lakhs. The police have not yet recovered any amount. Hence opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) submitted that there are 5 accused in this case, and the petitioners are A1 to A3. The investigation revealed that A1 received through his account received Rs.30 lakhs, A2 received through his account received Rs.15 lakhs, and A3 received through his account received Rs.5 lakhs, and they cheated the de facto complainant. It is further submitted that no one has been arrested, and no money has been recovered. Hence opposed to grant anticipatory bail to the petitioners.

6. I have considered the submissions made on both sides and perused the records. On perusal of the FIR, it revealed that the major allegation levelled against all the petitioners, that they are involved in cheating, making false promises of getting an MBBS seat, and collecting a huge sum of Rs.50 lakhs. It is also stated by the counsel for the petitioners that Rs.17 lakhs have already



been repaid. Taking note of the fact that this petition was filed in the year 2024, and the petitioners have been seeking time to negotiate with the de facto complainant, and having been dragging the issue, I am of the view that sufficient time has already been granted to the petitioners to settle the issue, but they have not utilized it. This is a case of cheating and misappropriation of Rs.50 lakhs. Hence, I am of the view that if bail is granted to the petitioners, there is no possibility of recovering the money. Therefore, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

14-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

mpa

To

1. The State Rep By

The State by The Inspector of Police, E-

2, Peelamedu Police Station (L AND O),

Coimbatore City. (Crime No.851/2023)

2. The Public Prosecutor

High Court of Madras.



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K.RAJASEKAR J.
mpa

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