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Crl.O.P.No.27649 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27649 of 2025

J.Manikandan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
EOW Police Station,
Cuddalore.
(Crime No.1 of 2023)

... Respondent

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

For Petitioner : M/s.K.Sumathi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 22.08.2025, for the offence punishable under Section 420 of the Indian
Penal Code r/w Sections 76(1) and 4(1) of the Chits Funds Act, 1982, in
Crime No.1 of 2023, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner/A2, along with



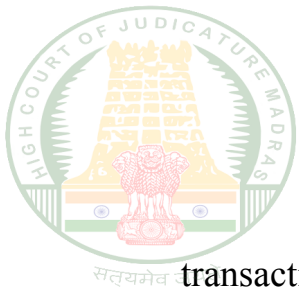
Crl.O.P.No.27649 of 2025

WEB COPY

other accused persons, jointly collected a sum of Rs.60,00,000/- from various persons in the name of conducting funds, including Diwali funds and other similar schemes. However, after collecting such a huge amount, they failed to repay the same and thereby cheated the public. Hence, the case.

3. The learned counsel appearing for the petitioner/A2 submitted that the petitioner is the husband of A1. The petitioner had initiated divorce proceedings as early as in the year 2021 on the allegation that his wife/A1 was involved in various kinds of malpractices in the name of conducting chit funds and Diwali funds. The divorce was also granted, and since then, the petitioner has been residing separately and working as a watchman. He further submitted that the petitioner has been in custody since 22.08.2025 and that he is willing to cooperate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case. He submitted that there are a total of four accused in this case, and the petitioner is ranked as A2. A2 and A1 are husband and wife. The alleged



Crl.O.P.No.27649 of 2025

WEB COPY

transactions against the petitioner pertain to the period prior to 2021, involving a total amount of Rs.60,00,000/-. He further submitted that the statement recorded during the investigation reveals that the petitioner had also participated in the said transactions.

5. I have carefully perused the materials available on record, including the FIR and the remand report.

6. It is alleged that the petitioner had earlier participated in the transactions carried out by A1 (his wife). However, it is also stated that as early as in the year 2021, the petitioner had disposed of his properties and shifted to Chennai. The documents placed on record indicate that he has been living separately from A1 since 2021, and thereafter, A1 alone continued the chit fund activities.

7. Considering the facts and circumstances of the case, the nature of allegations, the period of incarceration of the petitioner, and the fact that he has been living separately from A1 since 2021, this Court is of the view that further custodial interrogation of the petitioner is not required and



Crl.O.P.No.27649 of 2025

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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Chief Judicial Magistrate Court, Cuddalore**, 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 for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



WEB COPY



CrI.O.P.No.27649 of 2025

days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

09.10.2025

cda

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.

K.RAJASEKAR, J.

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To

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Crl.O.P.No.27649 of 2025

WEB COPY

- 1.The Chief Judicial Magistrate, Cuddalore.
- 2.The Inspector of Police,
EOW Police Station,
Cuddalore.
- 3.The Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.27649 of 2025

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