



WEB COPY

Crl.O.P.No.28852 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

**CRL OP NO.28852 of 2025
and CRL MP NO.19706 of 2025**

J. Vignesh

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
DCB - Thiruvallur Police Station.
(Crime No.01 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.01 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. R.C. Paul Kanagaraj
For Intervener : Mr. M.D. Ilayaraja
For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



WEB COPY

Crl.O.P.No.28852 of 2025



ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.09.2025 for the offences punishable under Sections 406, 420 and 506(i) of IPC in Crime No.01 of 2025, registered on the file respondent police, seeks bail.

2. The allegation against this petitioner is that, the petitioner joined hands with other two accused induced the defacto complainant to invest her money in online trading under the false assurance of getting higher returns; that thereby they received a sum of Rs.62 lakhs from the defacto complainant and her husband and subsequently, repaid only Rs.3,00,000/- and failed to repay the balance amount. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that originally the complaint was lodged by the defacto complainant before CCB, thereafter, the complaint was investigated and concluded that several transactions were made between the petitioner and the defacto complainant from the year 2022 onwards and the petitioner has paid nearly Rs.1.36



Crores to the bank account of the defacto complainant. He further submitted that the petitioner has invested the money in online trading with the consent of the defacto complainant; that since no profit was earned, the defacto complainant not accepting the loss and has come forward with the complaint, thereby giving a criminal colour to the money dispute. He further submitted that the petitioner is in judicial custody since 13.09.2025; that the co-accused were already granted anticipatory bail by this Court; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned counsel appearing for the intervener raised strong objection for the grant of bail to the petitioner by stating that there are money transactions between the parties from the year 2022; that the complaint was lodged by the defacto complainant for the money transactions taken place between the parties from June 2024 to December 2024 and during that period, the petitioner and his family members have received a sum of Rs.62,00,000/- from the defacto complainant and misappropriated the same. He further submitted that since the complaint lodged by the defacto complainant was not properly investigated by the



respondent police, the defacto complainant has attempted to commit suicide. He further submitted that this Court, vide order dated 21.05.2025 in Crl.O.P.No.15442 of 2025 directed to conduct further investigation and thereby, investigation conducted and it is revealed that huge amount of money was received from the defacto complainant and the same was misappropriated by the petitioner and other accused, subsequently, the petitioner was arrested.

5. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that from June 2024 to December 2024, there are several transactions taken place between the parties, showing that Rs.62,00,000/- was received by the petitioner and other accused; that so far no money is recovered; and that the investigation of this case is pending.

6. I have considered the submissions made on both sides and perused the materials available on record. It is found that several transactions were taken place between the parties from the year 2022 onwards; that the petitioner has also paid nearly Rs.1.35 Crores to the



defacto complainant's account but the same was not reflected in the FIR; that the complaint of the defacto complainant shows that the dispute is towards the transactions of Rs.62,00,000/- made by the defacto complainant to the petitioner during the month of June 2024 to December 2024 for investing the same in online trading; that according to the petitioner, this money was invested in the share market business with the consent of the defacto complainant, but since there is no profit yielded, a false complaint has been lodged against the petitioner.

7. Considering the submissions made and the above facts, the co-accused were already granted anticipatory bail, the period of incarceration undergone by the petitioner and no further custodial interrogation is necessary for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Ponneri** 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 by the respondent police;

[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.



WEB COPY

Crl.O.P.No.28852 of 2025



8. Accordingly, this criminal original petition and connected criminal miscellaneous petition are ordered.

27.10.2025

stn

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

1. The Judicial Magistrate - I,
Ponneri.
2. The Inspector of Police,
DCB - Thiruvallur Police Station.
(Crime No.01 of 2025)
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.28852 of 2025

K. RAJASEKAR, J.

stn

**CRL OP NO.28852 of 2025
and CRL MP NO.19706 of 2025**

27.10.2025