



WEB COPY

Crl.O.P.No.3050



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30504 of 2025

Deepak J.

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Central Crime Branch-I,
Vepery, Chennai.
(Crime No.153 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.153 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Dhakshnamoorthy

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.09.2025, for the alleged offence punishable under Sections 420 & 34 of IPC in Crime No.153 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that he is ranked as A1. He joined hands with A2, namely one Aegan and induced the de facto complainant to start proprietorship. They promised that there is a likelihood of earning good income from the business and for that purpose, they induced him to avail loan for purchasing additional machineries. Believing their words, he purchased the equipments from the fourth accused, namely Pooja Enterprises, represented by its Management. After getting the loan from the 3rd accused/M/s.Clix Enterprises, the money was also transferred in favour of Pooja Enterprises, and instead of supplying the machineries, they sought time for supply of machineries and was delayed the supply.

3. In the meantime, in the year 2023 itself, A4 had transferred Rs. 25 lakhs to the account of one Cosmo Bio, which is a firm owned by the petitioner along with A2/Aegan. Apart from that, another Rs. 55 lakhs was also transferred in favour of one Raja Holdings, who is a creditor/finance company, lending loan to the petitioner and Aegan. Thereby, the petitioner by colluding with Pooja



Enterprises along with A1 and A2, siphoned off the total amount to the tune Rs.80 lakhs from the defacto complainant, thereby, the petitioner cheated the defacto complainant. Hence, a complaint has been lodged.

4. The learned counsel for the petitioner submitted that a legal notice had already been issued by the de facto complainant to Pooja Enterprises, demanding supply of equipment, and nowhere, it is stated that there is cheating or any role played by the petitioner along with A2. There is also a complaint registered under Section 138 of the NI Act against the de facto complainant, which shows that the de facto complainant alone has borrowed the loan. Hence, the petitioner could not be included as an accused in this case. Hence, prays to grant bail to the petitioner.

5. The learned counsel for the intervener submitted that earlier, due to inducement made by the petitioner along with A2, who are known friends of the de facto complainant, has come forward to start a company along with the petitioner. But they suggested to borrow the loan and by making the defacto complainant to believe that the petitioner is doing genuine transactions, they used him to apply for loan and siphoned off the funds and settled their loan accounts of the petitioner herein along with A2 and also received Rs. 25 lakhs in their favour. Hence, he opposed to grant bail to the petitioner.



6. The learned Government Advocate (crl.Side) appearing for the respondent police reported that though the FIR reveals that the de facto complainant has come forward to avail the loan, investigation reveals that it was at the instigation of the petitioner, he availed the loan and A3/M/s.Clix Enterprises, who has come forward to lend the loan, A4/Pooja Enterprises, who has come forward to supply the machineries, are all colluded with the petitioner and A2. He further submitted that Pooja Distributors is not a medical equipment supplier; he is only a pharma distributor, and investigation in this case is pending and so far, no amount has been recovered. Hence, opposed to grant bail to the petitioner.

7.Considering the fact that a huge amount has been siphoned off by the petitioner by joining hands with other accused, even though it is stated that the petitioner is in custody, it is also revealed that by adopting a similar modus operandi, he is involved in the offence of cheating other persons. Further, investigation in this case is also pending. Hence, I am not inclined to grant bail at this stage. Accordingly, this criminal original petition is dismissed.

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To

1.The Inspector of Police,
Central Crime Branch-I,
Vepery, Chennai.

2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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