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Crl.O.P.No.30295 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.30295 of 2025

P.Parthiban

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Central Crime Branch, Maduravoyal,
T-4, Maduravoyal Police Station,
Chennai – 600 095.
(Crime No.643 of 2025)

... 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.643 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.M.L.Ramesh

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

For Intervenor : M/s.R.Girija

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 23.09.2025, for the offence punishable under Sections 318(4) and 316(4) of
BNS Act in Crime No.643 of 2025, registered on the file of the respondent,
seeks bail.



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2. The allegation against the petitioner is that the defacto complainant is running a old iron scrap trading shop and in the year 2022, the accused person had obtained Rs.95,00,000/- towards supply of iron materials, but thereafter failed to supply the materials inspite of demand on various occasions, that on 25.09.2024, when the defacto complainant demanded to return the amount, the petitioner threatened him with dire consequences, based on the complaint, FIR was registered. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that it is purely business transaction, originally money was paid to the defacto complainant for supply of iron material, since he was not able to procure and sell it, an exaggerated complaint was lodged. Hence, he prayed for grant of bail to the petitioner.

4. The learned counsel appearing for the intervenor submitted that, though, it seems like business transaction, petitioner initially collected money and supplied small quantity of materials and slowly gained confidence and collected huge sums of money and failed to supply the iron materials.

5. The learned Government Advocate (Crl. Side) reiterated the



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prosecution case and submitted that, total money cheated by the petitioner is Rs.95 lakhs and so far no money is recovered and investigation is pending.

6. Considering the allegations levelled against the petitioner that he had collected a sum of Rs.95 lakhs under the promise of supply of iron materials and thereafter failed to supply the same and he was arrested and under incarceration from 23.09.2025 and has no bad antecedents, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Poonamalle** 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



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respondent police daily at 10.30.a.m., for a period of four 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 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



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FIR can be registered under Section 269 of B.N.S.

06.11.2025

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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 No.II, Poonamalle.
- 2.The Inspector of Police,
Central Crime Branch, Maduravoyal,
T-4, Maduravoyal Police Station,
Chennai – 600 095.
- 3.The Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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