



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.30673 of 2025

Sakthivairakannan

... Petitioner

Vs.

State rep. by:

The Inspector of Police, (Crime)
T-19 Kelambakkam Police Station,
Chengalpattu.
(Crime No.194 of 2025)

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 483(1)(b) of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 29.10.2025 in Crl.M.P.No.3374 of 2025 on the file of the Principal District and Sessions Court, Chengalpattu and modify the bail condition imposed in Crl.M.P.No.3254 of 2025 on the file of the Principal District and Sessions Court, Chengalpattu in Crime No.194 of 2025 of T-19 Kelambakkam Police Station, dated 17.10.2025 by modifying the direction to deposit Rs.99,000/-.

For Petitioner	:	Mr.P.G.Santhosh Kumar
For Respondent	:	Mr.A.Gopinath, Government Advocate (Crl.Side)
For Intervenor	:	Mr.S.Sakthivel

ORDER

This Criminal Original Petition has been filed by the petitioner/accused seeking to set aside the order dated 29.10.2025 in Crl.M.P.No.3374 of 2025, on



the file of the Principal District and Sessions Court, Chengalpattu and modify the bail condition imposed in CrI.M.P.No.3254 of 2025 on the file of the Principal District and Sessions Court, Chengalpattu, dated 17.10.2025 by modifying the direction to deposit a sum of Rs.9,99,000/-.

2. The allegation against the petitioner is that The petitioner is alleged to have approached the de facto complainant with the intention of negotiating the sale of land belonging to one Vasanthi in favor of the complainant. In this regard, the petitioner collected an advance sale consideration of Rs. 9.99 lakhs and an additional amount of Rs. 40 lakhs. Subsequently, the petitioner asked the de facto complainant to appear for registration, but it was reported that Vasanthi, the landowner, had met with an accident, hence, no possibility of registration on that day. However, it was later revealed that the petitioner deliberately delayed and avoided the registration process. Hence, the defacto complainant directly contacted Vasanthi and discovered that the petitioner had informed Vasanthi that the complainant was not interested in purchasing the property, and Vasanthi returned the sum of Rs.9.99 lakhs to the complainant. It was further revealed that the petitioner had cheated the de facto complainant by obtaining a total sum of Rs. 49.99 lakhs under false pretenses.



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3. The learned counsel appearing for the petitioner/accused submitted that, based on the above allegation, the learned Principal District and Sessions Judge granted bail to the petitioner taking into account the period of his custody, however imposed a condition that directing him to deposit a sum of Rs.9.99 lakhs. According to him, this is an onerous condition, particularly since the petitioner has been in custody for a long period, and the direction to deposit Rs.9.99 lakhs is unwarranted. He further submitted that the petitioner has not received any money from the defacto complainant and, hence, prays to modify the said bail condition.

4. The learned counsel for the defacto complainant submitted that based on the averments made in the FIR and also considering various facts, the above bail order has been passed and no need for modification or setting aside the same. Hence, he prays to dismiss the petition.

5. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and on instructions reported that the petitioner is the sole accused and this case. The investigation revealed that the petitioner had collected a huge sum of Rs.49.99 lakhs from the defacto complainant, thereby cheated him. However, he prays to dismiss the petition.



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K.RAJASEKAR, J.

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6. I have also gone through the records, FIR and other connected materials.

7. It has been revealed that the petitioner/accused collected a total amount of Rs.49.99 lakhs from the defacto complainant on the assurance that the owner of the property namely Vasanthi, would agree to sell the property. However, under various pretexts, the petitioner managed and collected a huge amount. This Court is of the view that directing the petitioner to deposit a sum of Rs.9.99 lakhs is reasonable and the same cannot be considered onerous.

8. Accordingly, this Criminal Original Petition is dismissed.

14.11.2025

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To

1.The Inspector of Police, (Crime)
T-19 Kelambakkam Police Station, Chengalpattu.

2.The Public Prosecutor,
High Court of Madras.

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