



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32946 of 2025

Sakthi Priyan

Petitioner(s)

Vs

The State Rep by The Inspector of Police,
M1 Madhavaram Police Station, Chennai-600 110 Ref.
Crime No.347 of 2023

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused No.2 on bail
Pending investigation in Crime No. 347 of 2023 on the file of the respondent
Police.

For Petitioner(s): Mr.J.Suresh

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 09.10.2025, for the alleged offence punishable under Sections 406 & 420 of IPC, 1860, in Crime No.347 of 2023, on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner joining hands with other family members that is mother and brother, collected Rs.26 lakhs from the defacto complainant under the pretext of returning 4 crores of money, invested in the name of the trust run by A1 to A3. Subsequently, they cheated the defacto complainant. It was revealed that they made a false promise and collected the money.

3. Learned counsel appearing for the petitioner submitted that the petitioner is alleged to have collected only Rs.40,000/- from the defacto complainant, and the remaining money was paid to the other accused. The petitioner is in custody from 09.10.2025. He further submitted that this Court



previously dismissed the bail application in Crl.OP No.31269 of 2025 on 17.11.2025, and the allegations primarily pertain to A1, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally 3 accused in this case. A1 and A2 already arrested and are in custody. A3 still absconding. So far, Rs.60,000/- has been recovered, and the investigation is pending. Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6.This Court, having considered the fact that the majority of the allegations pertain to A1 and it is alleged that some of the money was transferred to the petitioner's account, and since the petitioner is in judicial custody from 09.10.2025, I am inclined to grant bail to the petitioner with



certain conditions:

7. 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**, for a like sum to the satisfaction of the learned ***District Munsif Cum Judicial Magistrate Court at Madhavaram*** 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 daily at 10.30 a.m 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 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.

02-12-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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.



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- 1.The State Rep by The Inspector of Police,
M1 Madhavaram Police Station,
Chennai-600 110 Ref. Crime No.347 of
2023
- 2.The District Munsif Cum Judicial
Magistrate Court, Madhavaram.
- 3.The Central Prison Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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