



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32985 of 2025

SERALATHAN

Petitioner(s)

Vs

State represented by
The Inspector of Police, Avadi Police
Station, Avadi, Chennai - 600 054.
Crime No.723 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge on Bail in Crime No.723 of 2025 on
the file of the Respondent Police.

For Petitioner(s): Mr.C.Prabhu

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 01.11.2025, for the alleged offences punishable under Sections 316(2), 318(4) BNS, in Crime No.723 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he collected a sum of Rs.1,30,000/- from the defacto complainant by making a false promise that he would arrange a VISA and secure him a job in Dubai. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner collected a sum of Rs.60,000/- from the defacto complainant, made some arrangements and booked tickets. However, due to some documentation issues, he could not send the defacto complainant to Dubai. Hence, the learned counsel prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent reported that the defacto complainant paid Rs.1,30,000/- to the petitioner



through G Pay under a false promise of securing a job in Dubai. As per the instruction of this petitioner, defacto complainant paid the remaining amount to Dhivan Mydeen Sathickali. However, after receiving the amount, the petitioner neither secured him job nor returned the money. It was found that the VISA and tickets were also fake. When the defacto complainant tried to enquire about the same, the petitioner absconded. Based on the complaint, an FIR was registered, the petitioner was arrested on 01.11.2025. He further submitted that still the money has not yet been recovered and the investigation in this case is pending.

5.Considering the fact that the petitioner is in judicial custody from 01.11.2025 and there is no previous cases pending against him, he also submitted that petitioner has made some arrangements to send the petitioner to Dubai, I am inclined to grant bail to the petitioner, subject to certain conditions:

6. 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 **Judicial**



Magistrate No.II, Poonamallee, 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



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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.



To
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- 1.State represented by
The Inspector of Police, Avadi Police
Station, Avadi, Chennai - 600 054.
Crime No.723 of 2025
- 2.The Judicial Magistrate No.II,
Poonamalle.
- 3.The Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.
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