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Crl.OP.No. 33238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No.33238 of 2025

M.Sakthivel

Petitioner/A-3

Versus

The State rep. by
The Inspector of Police
Economic Offence Wing (EOW)
Tiruvannamalai
Crime No. 5 of 2025.

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest pending investigation in Cr.No. 5 of 2025 on the file of the
respondent police.

For Petitioner : Mr.Magesh G.
For Respondent : Mr.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



police for the offences punishable under Sections 420, 120B, 34 of IPC and

r/w. Section 5 of TNPID Act, and 76(1) of Chit Funds Act, in Crime No. 5 of

2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that he is the son of A1 and A2. He was allegedly involved in a chit fund business run by his parents, and he has been accused of failing to refund deposits to the extent of Rs.3.29 Crore from 31 victims. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner only a student and he was studying in Paavai Engineering College, and he was not involved any chit fund business, which was run by A1 & A2, some of the amounts were collected for hostel fees by the petitioner have been collected as chit funds. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that totally four accused involved in this case. He further submitted that already A1, A2 and A4 were arrested and the petitioner is the ranked as A3. He further submits that the petitioner had collected a sum of Rs.50,000/- through his account and therefore, he added as an accused. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the records. It is specifically stated that the petitioner was a student and just passed out from the college and he has not participated in the chit fund business. It is also stated that the petitioner was Rs.50,000/- deposited into his bank account.

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, this Court is inclined to grant



anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Special Judge, TNPID Court, City Civil Court, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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



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identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[d] 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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MSM



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To

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1.The Special Judge, TNPID Court, City Civil Court, Chennai,

2.The Inspector of Police
Economic Offence Wing (EOW)
Tiruvannamalai

Crime No. 5 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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