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CRL O.P. No.35491 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.12.2025

CORAM

THE HON'BLE Mr.JUSTICE P.DHANABAL

CRL OP.No.35491 of 2025

Barani Krishna @ Karthick
S/o.Nagabushanam

... Petitioner/Sole Accused

Vs

State represented by:

The Inspector of Police,
T5, Thiruverkadu Police Station,
Chennai – 600 077.

[Cr. No.791 of 2025]

.... Respondent/ Complainant

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner / sole accused in Cr.No.791 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Devendran

For Respondent : Mr. S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner / Sole Accused, who was arrested on 17.11.2025 and remanded to judicial custody on the same day for the offences punishable under Sections 316(2), 318(4) of B.N.S. Act, 2023, in Cr.No.791 of 2025 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner was known to the de facto complainant through Face Book and out of love, she gave
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Rs.2,75,000/- to the petitioner which he had not repaid. Hence the case.

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3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner under Sections 316(2), 318(4) of B.N.S. Act, 2023, and the petitioner was arrested and remanded to judicial custody on 17.11.2025. The petitioner had repaid the entire amount and has not committed any offence as alleged by the prosecution and hence, he prayed that the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that the accused person has obtained money out of love and has not repaid the amount to the complainant and investigation in this case is at initial stage and hence, he strongly opposed to grant bail to the petitioner. He would submit that there are no other previous case as against the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions on either side, considering the nature of offences involved in this case and there is no previous case pending against the petitioner and also considering the fact that there is a money dispute pending between the parties and even as per the FIR, on consent only, the de facto complainant has transferred the amount to the petitioner and subsequently, it was not paid and also considering the period of incarceration of the petitioner from 17.11.2025, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned **Judicial Magistrate-II, Poonamallee**, and on further conditions that:

[b] the petitioner shall report before the respondent Police on every Saturdays for a period of four weeks.

[c] the petitioner shall not commit any offence similar to the offence of which she was accused, or suspected, or of the commission of which she is suspected;

[d] the petitioner shall not abscond either during investigation or



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trial;

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[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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Index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

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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

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noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

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P.DHANABAL,J

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To

- 1.The Judicial Magistrate-II, Poonamallee.
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police, T5, Thiruverkadu Police Station, Chennai.
4. The Superintendent of Police, Central Prison, Puzhal.

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