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CRL.O.P.No.35577 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP.No.35577 of 2025

M.Sivakumar

... Petitioner

Vs

The State represented by its,
District Crime Branch,
Perambalur- District.
[Cr.No.38 of 2025]

... Respondent

PRAYER: Criminal Original Petition filed under 483 of BNSS Act, 2023
to enlarge the petitioner on bail in Crime No.38 of 2025 on the file of the
Inspector of Police, District Crime Branch, Perambalur- District.

For Petitioner : Mr.N.Desinghu

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

ORDER

The petitioner/accused A1, who was arrested and remanded to
judicial custody on 15.11.2025 for the offence punishable under Sections
318(2), 318(4), 296(b) and 351(3) of BNS Act, in Crime No.38 of 2025
on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that accused persons were

introduced to the defacto complainant in the year of 2018 through one Sathiyaseelan. At that time, Al was running a medical shop and an electrical shop at Perambalur. The accused persons demanded money from the defacto complainant for their business purpose. Believing their words, the defacto complainant invested money on the promise that the amount would be returned with high profit. The accused persons also made false representation that if a sum of Rupees One Crore was invested, it would become Rupees Ten Crores within two years. In this manner, the accused totally received a sum of Rs.2,85,00,000/- from the defacto complainant on several dates, through bank transactions and cash. When the defacto complainant repeatedly demanded repayment, the accused persons failed to return the money. Thereafter, they abused the defacto complainant using obscene words and also threatened him with dire consequence. Hence the compliant.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been in Judicial custody from 15.11.2025. He would contend that the petitioner has not involved in this case incident as alleged by prosecution and that the present case is purely a money dispute. He further submitted that the petitioner has only borrowed a loan



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from the defacto complainant for interest and that there was no promise of high profits as alleged by the prosecution. He would further contend that the petitioner is an innocent, that a false case has been foisted against him and that there is no previous case as against the petitioner. Hence, he seeks bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the accused persons cheated the defacto complainant to the tune of Rs.2,85,00,000/- by promising to return the amount with high profit. Even after repeated demands made by the defacto complainant, the accused persons failed to return the money. He further submitted that that allegation is serious in nature and that if the petitioner is released on bail, there is a likelihood of the petitioner tempering with witnesses and interfering with the investigation. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the period of incarceration



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undergone by the petitioner and also the fact that there is no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court, the Judicial Magistrate-I, Perambalur**, and on further conditions that:-

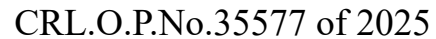
[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

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

[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 him 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



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

nsl/veda

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

1. The Judicial Magistrate Court, the Judicial Magistrate-I, Perambalur.
2. The State represented by its.
District Crime Branch, Perambalur- District
3. The Central Prison, Tiruchirappalli
4. The Public Prosecutor, High Court of Madras.



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P.DHANABAL,J.

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