



CRL OP(MD). No.324 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.324 of 2025

S.Pradeepkumar

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
S.S.Colony Police Station,
Madurai District.
Crime No. 754/2024.

... Respondent/Complainant

For Petitioner : Mr.G.M. Xavier, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.754 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on



CRL OP(MD). No.324 of 2025

25.11.2024 for the offences under Sections 296(b), 336(2), 336(3), 340(2) and 351(2) of BNS (hereinafter referred to as new penal code) in Crime No.754 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is running an agency dealing with home appliances called as Sakthi Ganapathi Home Appliances. A1 was working as a collection agent in that agency. On verification of the accounts, it was noticed that A1 had collected various amounts from the customers and failed to account the same in the defacto complainant agency and thereby had misappropriated a total sum of Rs.13,85,000/-. The petitioner (A2) is the son of A1 and he is said to have prepared fake receipts and acknowledgments in the name of the defacto complainant and A1 is said to have issued those receipts to the customers and collected the amounts.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that A1 is still absconding and he has not been secured by the respondent police. He further submitted that it is the petitioner, who was behind the creation of the fabricated receipts. He further submitted that the investigation is pending and hence, he opposed the grant of bail of the petitioner.



CRL OP(MD). No.324 of 2025

WEB COPY

4. The learned Counsel appearing for the petitioner submitted that the petitioner has nothing to do with the alleged offence and the petitioner is suffering incarceration from 25.11.2024. He further submitted that this Court may enlarge the petitioner on bail subject to any conditions.

5. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court and the manner in which this incident had taken place and also taking note of the fact that the petitioner has already suffered incarceration from 25.11.2024 and A1 is yet to be secured, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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 learned **Judicial Magistrate No.V, Madurai**, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



CRL OP(MD). No.324 of 2025

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

**[c] the petitioner shall appear before the trial Court during every hearing date
without fail.**

**[d] the petitioner shall not tamper with evidence or witness either during
investigation or trial.**

[e] the petitioner shall not abscond either during investigation or trial.

**[f] On breach of any of the aforesaid conditions, the learned 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 BNS 2023.**

sd/-
08/01/2025

/ TRUE COPY /

08/01/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



CRL OP(MD). No.324 of 2025

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE OFFICER INCHARGE,
MELUR PRISON, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.324 of 2025

Date :08/01/2025

SS/SAR- /08/01/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023