



CRL OP(MD). No.1318 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1318 of 2025

Ramalingam

... Petitioner/ A1

Vs

The State of Tamilnadu,
Rep.By the Sub-Inspector of Police,
District Crime Branch,
Theni District.
Crime No.25 of 2024

... Respondent/ Complainant

For Petitioner : Mr.G.Karuppasamy Pandian
for Mr.S.Siva Ilayaraja
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.25 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 22.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



CRL OP(MD). No.1318 of 2025

WEB COPY

2. The petitioner / accused No.1 was arrested and remanded to judicial custody on 13.01.2025 for the alleged offences punishable under Sections 406, 468, 471, 420, 120B, 294(b) and 506(1) of Indian Penal Code, 1860 in Crime No.25 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner is running a consultancy to send aspirants abroad in exchange for certain amounts. The defacto complainant was working in the said consultancy. The defacto complainant gave a sum of Rs.17,60,000/- to the petitioner's wife, who is also running a consultancy under a different name, for sending seven aspirants abroad. Thereafter, the petitioner requested the defacto complainant to be a partner in the consultancy run by him in Qatar, for which he demanded a sum of Rs.50,00,000/-. The defacto complainant paid around Rs.35,60,400/-. During this period, the petitioner cancelled the visas arranged for two of the seven aspirants introduced by the defacto complainant to his wife. Suspecting something was wrong, the defacto complainant demanded the return of the money she had given. However, the petitioner and his wife provided one excuse after another. Meanwhile, a friend of the petitioner/A3, called the defacto complainant from Qatar and stated that the petitioner was facing financial problems, asking her to arrange a sum of Rs.20,00,000/-. Consequently, the defacto complainant travelled to Qatar, where the defacto complainant gave a sum of Rs.19,67,500/- to the



CRL OP(MD). No.1318 of 2025

WEB COPY

third accused. In total, the defacto complainant gave an amount of Rs.72,87,900/- to the petitioner, his wife, and his friend (A3), but they did not return the said amount to her. Hence the case.

4. Mr.G.Karuppasamy Pandian, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that, in fact, upon hearing that the petitioner was running a consultancy in Virudhachalam, the defacto complainant approached the petitioner to open a branch in Bodi and promised to take care of the branch. The defacto complainant and her friend were working at the said consultancy. He further submits that within three months of its opening, the branch was closed, and the petitioner left for abroad on 19.05.2017, returning only on 26.11.2017. He further submits that, on the alleged date of occurrence, i.e., 22.05.2017, the petitioner was abroad. He further submits that the defacto complainant has lodged a false complaint against the petitioner, his family members, and his friend. He further submits that the petitioner was already granted interim bail by this Court on 24.01.2025, and the same may be made absolute.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation has been completed and the respondent-police is going to file the charge sheet shortly. He



CRL OP(MD). No.1318 of 2025

WEB COPY

further submits that the accused persons received a total sum of Rs.72,87,900/- from the defacto complainant under the pretence of making her a partner. He further submits that if bail is granted to the petitioner, he will cause a threat to the defacto complainant and the witnesses. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 13.01.2025. When the case was taken up for hearing on 24.01.2025, interim bail was granted to the petitioner upon executing a bond of Rs.10,000/- with two sureties, each for a like sum, to the satisfaction of the learned Judicial Magistrate, Theni, and subject to further conditions. The petitioner also executed the bond with sureties as ordered by this Court. Thereafter, this Court extended the interim bail on 03.02.2025, 10.02.2025, 17.02.2025, 26.02.2025 and 05.03.2025.

8. It is now stated by the learned Additional Public Prosecutor that the investigation has been completed and the respondent-police is going to file charge sheet shortly. Considering the same and taking note of the fact that the petitioner has been complying with the conditions for interim bail without deviation, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty Thousand



CRL OP(MD). No.1318 of 2025

only) along with two sureties each for a like sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the learned Judicial Magistrate, Theni District;

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(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Theni District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(v) 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;

(vi) The petitioner shall also not directly or indirectly cause any threat to the defacto complainant, her friend, and witnesses;

(vii) The petitioner or his agents shall also not enter into the house and workplace of the defacto complainant;

(viii) The petitioner shall furnish his residential address and mobile number to



CRL OP(MD). No.1318 of 2025

the learned Judicial Magistrate, Theni District;

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(ix) The petitioner shall appear and sign before the learned Judicial Magistrate, Theni District weekly twice i.e., on every Monday and Friday at 10.30 a.m., until further orders; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Theni District is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

9. It is made clear that if the same sureties, which were executed for interim bail, are provided by the petitioner, the learned Judicial Magistrate, Theni District, shall accept them.

10. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07/03/2025

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07/03/2025

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

mbi
TO



CRL OP(MD). No.1318 of 2025

1 THE JUDICIAL MAGISTRATE, THENI

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2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE SUB-INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
THENI-DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THENI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SIVA ILAYARAJA, Advocate (SR-2536[I] dated 07/03/2025)

ORDER
IN

CRL OP(MD) No.1318 of 2025

Date :07/03/2025

RS/IT/SAR-(07.03.2025) 7P 7C

Madurai Bench of Madras High Court is issuing
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