



CRL OP(MD). No.8459 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8459 of 2025

P.Esakimuthu

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
Crime No.78 of 2025

... Respondent/ Complainant

For Petitioner : Mr.S.Kasirajan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.78 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / A3 was arrested and remanded to judicial custody on 26.03.2025 for the alleged offences punishable under Sections 316(2) and 318(4) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.78 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that defacto complainant engaged in crypto currency trade, came into contact with Accused No.1 through a Telegram group. Accused No.1 expressed interest in purchasing USDT coin in exchange for money worth about Rs.75,00,000/- and the defacto complainant also accepted the demand. On 24.03.2025, A2 and another accused person came to the defacto complainant's office and gave Rs.75,00,000/- believing the amount to be genuine, the defacto complainant transferred USDT coin worth about Rs.75,00,000/- to the ID sent by Accused No.1. Thereafter, the defacto complainant found that the money given by A2 and another accused person are fake currencies. Hence the case.



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4. Mr.S.Kasirajan, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 26.03.2025. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.S.S.Manoj, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner has no previous case. He however submits that the investigation is yet to be completed and prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 26.03.2025 and is in judicial custody. It appears that the petitioner has been arrested based on the confession of A2. The petitioner has no previous case. Considering the period of incarceration, this Court is of the view that further custody of the petitioner is not necessary for the



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investigation agency. In view of the above and taking note of the fact that the
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petitioner is a first offender and with a view to give one more opportunity to the
petitioner to reform himself, this Court is inclined to grant bail to the petitioner,
however, subject to certain conditions. Accordingly, bail is granted to the petitioner
subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Tirunelveli;

(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 No.I, Tirunelveli 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



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from disclosing such facts to the Court or to any police officer or tamper with the
evidence;

(vi) The petitioner shall furnish his residential address and mobile number;

(vii) The petitioner shall appear and sign before the respondent-Police daily at
10.00 a.m., until further orders;

(viii) On breach of any of the aforementioned conditions, the learned Judicial
Magistrate No.I, Tirunelveli 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].

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

sd/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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1. THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.8459 of 2025

Date :08/05/2025

VN/12.05.2025 6P/6C

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