



CRL OP(MD). No.8924 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Purushothaman
S/0o.Balakrishnan,
No.6/413-2, New Mahalakshmi Nagar,
Opp. to Lovedale School,
K.Pudur,
Madurai District – 625 007

... Petitioner/ Accused No.1

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
DCB Ramanathapuram,
Ramanathapuram District.
Crime No. 07 of 2025.

... Respondent/Complainant

For Petitioner	:	Mr. D.Balamurugapandi, Advocate.
For Respondent	:	Mr.B.Thanga Aravindh, Government Advocate (Crl.Side)
For Intervenor	:	Mr.B.Pravesen Kumar

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 7 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 08.04.2025 for the offences punishable under Sections 465, 420, 294(b), 506(i) of IPC in Crime No.7 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A1 and his wife/A2 were cheated the defacto complainant for a sum of Rs.26,00,000/- by indulging fraud as they were executing sale agreement in favour of the defacto complainant in respect of their property. Thereafter, they have failed to execute the sale deed to the defacto complainant and the property was sold to others and thereby, they cheated the defacto complainant and also threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 08.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that totally 2 accused involved in this case and the petitioner is arrayed as A1. The petitioner/A1 along with his wife/A2 have received a sum of Rs.26,00,000/- from the defacto complainant and agreed to sell their property in his name. After received of the sale consideration, they have suppressed the same and sold the



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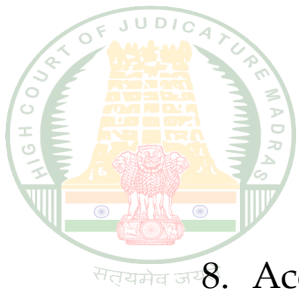
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property to some other person and thereby, cheated the defacto complainant. He would further submit that the petitioner is having two previous case, which are similar in nature and the investigation is almost completed. Hence, he objected to grant bail to the petitioner.

5. The learned counsel appearing for the defacto complainant would submit that there are two previous case pending against the petitioner, which are similar in nature and totally an amount of Rs. 44,78,003/- involved in this case. He would further submit that the petitioner may be directed to deposit a sum of amount before this Court and he prayed to dismiss the bail petition.

6. As per the law laid down by the Hon'ble Supreme Court in Dilip Singh Vs. State of Madhya Pradesh and another (Criminal Appeal No.53 of 2021 arising out of SLP (Crl) No.10484 of 2019 dated 19.01.2021), a Criminal Court, exercising jurisdiction to grant bail/anticipatory bail, is not expected to act as a recovery agent to realise the dues of the complainant, and that too, without any trial.

7. Taking into consideration the facts and circumstances of the case and also taking into consideration of the period of incarceration and considering the fact that the petitioner has been in custody for the past 56 days and the investigation is almost completed and moreover, the evidences are based on records, this court is inclined to grant bail to the petitioner, subject to the following conditions:



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8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II, Ramanathapuram 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.

[b] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Ramanathapuram . If the petitioner changes his residential address, he shall report the same to the concerned Court.

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders.

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

[e] the petitioner shall not tamper with evidence or witness 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

Section 269 BNS.

sd/-

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04/06/2025

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

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TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM DISTRICT.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 THE SUPERINTENDENT, SUB JAIL, RAMANATHAPURAM.
 - 4 THE INSPECTOR OF POLICE, DCB RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-5868[I] dated 03/06/2025)

ORDER
IN

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Date :03/06/2025



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NBF/04.06.2025 6P/7C

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