



CRL OP(MD).No.10618 of 2025

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

Date : 25/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10618 of 2025

1.Gopalakrishnan
S/o.Mariyappan

2.Sudha
W/o.Gopalakrishnan

...Petitioners/
Accused No.1&2

Vs

The State through
The Sub Inspector of Police,
District Crime Branch,
Theni District.
(Crime No.12 of 2025) ...Respondent/Complainant

For Petitioner : Mr.K.Sathiya Singh
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



CRL OP(MD).No.10618 of 2025

PRAYER :- For Bail in Crime No.12 of 2025 on the file of the Respondent Police.

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ORDER: This Court made the following order :-

The petitioners / Accused Nos.1&2, who were arrested and remanded to judicial custody on 16.05.2025 for the offences punishable under Sections 420, 406, 120(b) of IPC and 4(1) 14, 76(1) of Chit Funds Act, in Crime No.12 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners conducted Deepavali Chit Fund and Monthly Chit Fund in the name of "Abiniya" small savings for the period of 20 months Rs.1,00,000/-. In the year 2023, the defacto complainant and his wife invested Rs.4 lakhs and Rs.3 lakhs respectively. Further, the defacto complainant also invested in Deepavali Chit Fund in 10 numbers and also joined 10 Deepavali Chit Funds. In the same occurrence, the accused persons collected the chit amount from various persons to the tune of Rs.33 lakhs and did not repay the same. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready to pay a sum of Rs.1,50,000/- to show their bonafide and are willing to abide by any condition imposed by this Court. He would further submit that the petitioners are in custody



CRL OP(MD).No.10618 of 2025

from 16.05.2025 nearly 39 days. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) would submit that these petitioners are running a chit fund and collected the amount from various persons to the tune of Rs.33 lakhs and they did not repay the same. He would further submit that the amount has not been recovered and the investigation is still pending. Hence, he objected to grant bail to the petitioners.

5. Considering the facts and circumstances of the case, and considering the *bonafide* expressed by the petitioners that they are ready to pay a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) each, and considering the fact that petitioners/accused Nos.1&2 are remanded into judicial custody on 16.05.2025, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties, each for a like sum to the satisfaction of Judicial Magistrate Court, Theni 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 petitioners shall deposit a sum of Rs.75,000/- (Rupees Seventy Five



CRL OP(MD).No.10618 of 2025

Thousand only) each to the credit of the Crime No.12 of 2025 on the file of the
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respondent-police, before the learned Judicial Magistrate, Theni, and on such
deposit being made, the learned Judicial Magistrate shall accept the sureties
furnished by the petitioner and learned Judicial Magistrate shall deposit the said
amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a
period of one year and renew them periodically until the final order / judgment is
passed in the case in Crime No.12 of 2025. The Trial Court shall decide the
entitlement to the deposit amount at the time of passing the final order or judgment.

[c] The petitioners shall furnish their residential address and mobile number
to the Judicial Magistrate, Theni. If the petitioners changes their residential address,
they shall report the same to the Judicial Magistrate, Theni;

[d] the petitioners shall appear and sign before the respondent police daily at
10.30 a.m. until further orders.

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

[f] the petitioners shall not tamper with evidence or witness either during
investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial
Court is entitled to take appropriate action against the petitioners in accordance
with law as if the conditions have been imposed and the petitioners released on bail



CRL OP(MD).No.10618 of 2025

by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme
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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
25/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

TO

1 THE JUDICIAL MAGISTRATE,
THENI.

2 THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE SUPERINTENDENT, SUB JAIL, PERIYAKULAM,
THENI DISTRICT.

4 THE SUPERINTENDENT, SUB JAIL, NEELAKOTTAI,
DINDIGUL DISTRICT.

5 THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME
BRANCH, THENI.

5/6



CRL OP(MD).No.10618 of 2025

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

ORDER
IN
CRL OP(MD) No.10618 of 2025
Date :25/06/2025

NM/25.06.2025 6P/7C

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