



CRL OP(MD).No.11279 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11279 of 2025

Divya @ Divyamol,
W/o.Jeyakumar

..Petitioner/ A2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
City Crime Branch, Madurai City.
(Crime No.21 of 2025)

..Respondent/ Complainant

For Petitioner : Mr.G.Balaji,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.21 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 24.05.2025 for the offences punishable under Sections 318 and 61 of BNS in Crime No.21 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto-complainant is working as Special Sub Inspector of Police of Coonoor. A1 introduced himself to the defacto-complainant that he was doing real estate business. A1 asked the defacto-complainant to pay a sum of Rs.5,00,000/- in order to repay the loan amount to one Ayub, Chennai and promised that he would pay interest for that amount. Believing the same, the defacto-complainant paid Rs.5,00,000/- to A1. Thereafter, the accused 1 and 2 received a sum of Rs.18,00,000/- from the defacto-complainant for business purpose and thereafter, A3 gave assurance that company viz.Asis is going to be sold and a new company is going to be opened at Bengaluru and for that purpose A3 received a sum of Rs.24,00,000/- from the defacto complainant through A1. The accused persons have not taken any steps to repay the amount. Subsequently, on 20.05.2025 A3 asked the defacto-complainant to come and get the amount, but they have not paid any amount and they have cheated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is the wife of the first accused and she has not committed any offence as alleged by the prosecution. He would further submit that the first accused was released on bail and the petitioner is in custody from 24.05.2025. Hence, he seeks bail.



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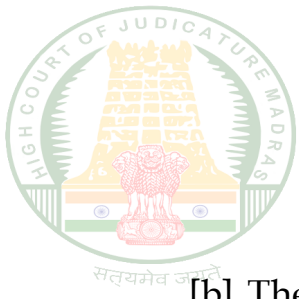
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4. The learned Government Advocate (Criminal Side) would submit that the petitioner is the wife of the first accused. The petitioner along with other accused received a sum of Rs.54,50,000/- from the defacto complainant for business purpose and thereby cheated him. The first accused has got bail only on medical ground. He would further submit that the investigation is in progress. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the petitioner remanded into judicial custody on 24.05.2025 and that by this time most of the investigation would likely have been completed, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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 the learned Judicial Magistrate No.I, 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.



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[b] The petitioner shall furnish her residential address and contact number to the learned Judicial Magistrate No.I, Madurai. If the petitioner changes her residential address, she shall report the same to the learned Judicial Magistrate No.I, Madurai;

[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 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 of BNS.



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7. Accordingly, this Criminal Original Petition is allowed.

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

DAS
TO

1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE, CCB,
CITY CRIME BRANCH,
MADURAI CITY.

4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.

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

ORDER
IN

CRL OP(MD) No.11279 of 2025

Date :04/07/2025

SS/SAR- /07/07/2025/ 5P/6C

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