



CRL OP(MD). No.12485 of 2025

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

Date : 25.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

CRL OP(MD). No.12485 of 2025

Arumugam Pillai

... Petitioner/ Accused No.1

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
CCB Police Station,
Madurai District.
(Crime No.2 of 2025)**

... Respondent/ Complainant

For Petitioner : Mr.G.Vijaya Prabhakaran

**For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.2 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.05.2025 for the offences punishable under Sections 61(2), 296, 318(4) and 351(2) BNS Act 2023, in Crime No.2 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 has approached this petitioner through A2 in respect of purchasing house property. Furthermore, this petitioner showed a house at Vellakovil, and the sale price was fixed at Rs. 1,00,00,000/-. As instructed by this petitioner, the defacto complainant has sent the amount to various accounts, including the wife of this petitioner then and there and in total Rs.1,00,95,000/-. Thereafter, the petitioner neither registered the sale deed nor returned the amount. Further, the petitioner had threatened the defacto complainant and criminally intimidated him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that it is purely civil dispute and the petitioner has repaid the portion of amount and the same was not produced on the side of the defacto complainant. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. He further submitted that the petitioner is in judicial custody from 28.05.2025. Hence, he seeks bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that the petitioner along with other accused persons have cheated the defacto complainant to the tune of Rs.1, 00,95,000/- on various accounts. He further submitted that the petitioner is involved in a cheque bounce case under Section 138 of the Negotiable Instruments Act. Hence, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that date of occurrence ie., 20.10.2024 and FIR was registered on 04.01.2025 and the petitioner was arrested on 28.05.2025 by this time most of the investigation has been completed and also consideration the period of incarceration suffered by the petitioner, 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 Judicial Magistrate Court-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 his residential address and mobile number to the Judicial Magistrate Court-I, Madurai.

© If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate Court-I, Madurai.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[f] the petitioner 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 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].



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

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

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To

1. The Judicial Magistrate Court-I, Madurai.
2. Do through the Chief Judicial Magistrate, Madurai.
3. The Superintendent, Central Jail, Virudhunagar.
4. The Inspector of Police, CCB Police Station, Madurai District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.12485 of 2025
Date :25/07/2025

PS/SAR.28.07.2025 5P/6C

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