



CRL OP(MD).No.13242 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.08.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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V.Prasath,
S/o.Vivekanandan

.. Petitioner/ A1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Central Crime Branch,
Madurai City.
(Crime No.9 of 2023)

.. Respondent/ Complainant

For Petitioner : Mr.M.Kannan,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.9 of 2023 on the file of the Respondent Police.

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ORDER : This Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 03.06.2025 for the offences punishable under Sections 420, 406 and 120(b) of IPC in Crime No.9 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons promised the de-facto complainant that they could arrange a government job for the de-facto complainant's son, who is an engineering graduate. However, as the job was not secured, the accused were required to return the balance amount of Rs.74,00,000/-. Hence, the present case.

3. The learned counsel for the petitioner submitted that after the registration of the FIR, the petitioner and his family members filed an anticipatory bail application before the learned Principal Sessions Judge, Madurai in CrI.M.P. No.5757 of 2023, and the matter was referred to mediation by the learned Judge. However, the matter could not be settled through mediation, and based on the mediation failure report, the learned Judge granted anticipatory bail to the petitioner and his family members

on 31.01.2024.

<https://www.mhc.tn.gov.in/judis>



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4. Thereafter, the de-facto complainant filed an application in Crl.O.P.(MD) No.2555 of 2024 before this Court seeking cancellation of the anticipatory bail granted to the petitioner and his family members. Since the petitioner's family was under threat of arrest and remand, and in order to protect them, the petitioner filed an undertaking affidavit before this Court, admitting the offence and agreeing to settle the amount of Rs.50,00,000/-. Accordingly, this Court recorded the undertaking and directed the petitioner and his family members to pay the said amount to the de-facto complainant on or before 31.04.2024, failing which the bail granted by the trial Court would stand automatically cancelled.

5. As the petitioner and his family members could not arrange such a huge sum of money, the bail already granted to them by the trial Court was automatically cancelled, and they were arrested and remanded to judicial custody. He further submitted that A2 to A5 were granted bail by the learned Judicial Magistrate No.1, Madurai, after undergoing 60 days of incarceration. He also submitted that the investigation in this case has been completed, and a charge sheet has also been filed through e-Filing No.1390 of 2025 on the file of the Judicial Magistrate No.1, Madurai. The petitioner is an innocent person and has not committed any offence as



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alleged by the prosecution. He has been in custody from 03.06.2025. Hence, he seeks
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bail for the petitioner.

6. The learned Government Advocate (Criminal Side) submitted that there are five accused persons in this case and the petitioner has been arrayed as A1. A2 to A5 were arrested and subsequently released on bail by the learned Judicial Magistrate No.1, Madurai. He submitted that the investigation in this case has been completed, and a charge sheet has also been filed through e-Filing No.1390 of 2025 on the file of the Judicial Magistrate No.1, Madurai. He further submitted that there is one previous case registered against the petitioner. Hence, he opposed to grant bail to the petitioner.

7. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 03.06.2025, and that the co-accused were arrested and subsequently released on bail, and that the investigation in this case has already been completed and a charge sheet has been filed through e-filing, and also considering the period of incarceration already undergone by the petitioner, 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 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.1, 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;

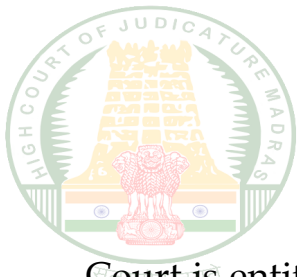
[b] the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.1, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.1, Madurai;

[c] the petitioner shall report before the respondent police daily at 10.00 a.m. except on hearing dates, until further orders; Further, the petitioner shall appear before the concerned Trial Court on hearing dates.

[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



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Court is entitled to take appropriate action against the petitioner in accordance with
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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]; and;

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

sd/-
07/08/2025

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/08/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

- 1.The Judicial Magistrate Court No.1,
Madurai.
2. Do through the Chief Judicial Magistrate,
Madurai.
- 3.The Superintendent,
The Central Prison,

<https://www.mhc.tn.gov.in/judis>



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4.The Inspector of Police,
Central Crime Branch,
Madurai City.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.KANNAN, Advocate (SR-8567[I] dated 07/08/2025)

ORDER

IN

CRL OP(MD) No.13242 of 2025

Date :07/08/2025

PS/SAR.07.08.2025 7P/7C

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