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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.08.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.13443 of 2025

Karuppaiah,
S/o.Koodandi

.. Petitioner/A3

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar.
(Crime No.221 of 2025) .. Respondent/Complainant

For Petitioner : Mr.N.Nishar Ahamed,
Advocate
For Respondent : Mr.Thanga Aravindh.B,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.221 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 26.06.2025 for the offences punishable under Sections 420, 294(b) and 506(i) of IPC in

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Crime No.221 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant, who is running a medical shop at Rajapalayam, had a friendship with A1. A1 informed him that his friend, one Koodandi, was working in London and that, through him, he could arrange for a job and study abroad. A2 facilitated a phone conversation between the de-facto complainant and Koodandi, thereby creating trust in the accused. A3 and A4, who are the parents of A2, also assured and guaranteed the job. Believing their representations, the de-facto complainant paid a sum of Rs.9,95,000/- to the accused, partly through bank transfer and partly in person. Further, on the demand of the accused, the de-facto complainant's friend, one Manikandan, transferred Rs.14,00,000/- to A2 through his bank account, and also gave Rs.5,00,000/- in person to A3 and A4. Thus, the accused received a total sum of Rs.19,00,000/- from Manikandan. As the de-facto complainant did not get a job abroad, he demanded the return of his money. On 10.11.2023, the 2nd accused repaid Rs.1,00,000/- to the de-facto complainant. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. The petitioner is the father of the 2nd accused and is illiterate. He submitted that there is no prima facie materials against the petitioner and a false case has been foisted

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against him. He also submitted that A4 was arrested and subsequently released on bail by this Court on 25.07.2025 in Crl.O.P.(MD)No.12587 of 2025. He, however, submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He further submitted that the petitioner has been in judicial custody from 26.06.2025. Hence, he seeks bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case and the petitioner has been arrayed as A3. A1 was arrested and is still in custody. A4 was arrested and subsequently released on bail by this Court on 25.07.2025 in Crl.O.P.(MD)No.12587 of 2025. He further submitted that there are no previous cases registered against the petitioner. However, he opposed to grant bail to the petitioner.

5. 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 26.06.2025, and that there are no previous cases registered against the petitioner, and that one of the co-accused was arrested and subsequently released on bail by this Court, 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:

6. Accordingly, the petitioner is ordered to be released on bail on executing a

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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, Rajapalayam 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, Rajapalayam. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Rajapalayam;

[c] the petitioner shall report 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]; and;

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

sd/-
12/08/2025

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

mkn
TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INPSECTOR OF POLICE,
BAJAPALAYAM SOUTH POLICE STATION, VIRUDHUNAGAR.

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.13443 of 2025
Date :12/08/2025

NBF/SAR- /13/08/2025/ 5P/6C

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