



Crl.O.P(MD)No.180 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 20/01/2025

Pronounced On : 23/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD) Nos.18810, 18887, 18963 of 2024 and 20272 of 2024 and Crl.O.P(MD)
No.180 of 2025

and

Crl.M.P(MD)Nos.11835, 11873 and 11807 of 2024

For Crl.O.P(MD)No.18810 of 2024

Boopathi Selvaraj

... Petitioner/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Karur District.
(In Crime No.9/2024).

... Respondent/ Complainant

For Petitioner : Mr.S Sankar,

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

For Intervenor : Mr.B.Saravanan
Senior Counsel For Mr.K.Suresh



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2024 on the file of the respondent Police.

For Crl.O.P(MD)No.18887 of 2024

Karthikeyan

... Petitioner/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Karur District.
(In Crime No.9/2024).

... Respondent/ Complainant

For Petitioner : Mr.S.Ramasamy

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

For Intervenor : Mr.B.Saravanan
Senior Counsel
For Mr.K.Suresh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2024 on the file of the respondent Police.



Crl.O.P(MD)No.180 of 2025

For Crl.O.P(MD)No.18963 of 2024

S.Surya Prakash

... Petitioner/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Karur District.
(In Crime No.9/2024).

... Respondent/ Complainant

For Petitioner : Mr.A.Nataraj
Senior Counsel
For Mrs.A.Madhumathy

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

For Intervenor : Mr.B.Saravanan
Senior Counsel
For Mr.K.Suresh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2024 on the file of the respondent Police.



Crl.O.P(MD)No.180 of 2025

For Crl.O.P(MD)No.20272 of 2024

1.Muthu Kumar

2.Rajkumar

... Petitioner/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Karur District.
(In Crime No.9/2024).

... Respondent/Complainant

For Petitioner : Mrs.B.Kalpana

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

For Intervenor : Mr.B.Saravanan
Senior Counsel
For Mr.K.Suresh

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.9 of 2024 on the file of the respondent Police.



Crl.O.P(MD)No.180 of 2025

For Crl.O.P(MD)No.180 of 2025

Shailendra Kumar Chanchal

... Petitioner/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Karur District.
(In Crime No.9/2024).

... Respondent/ Complainant

For Petitioner : Mr.S.Sankar

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

For Intervenor : Mr.B.Saravanan
Senior Counsel
For Mr.K.Suresh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2024 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

Crl.O.P(MD)No.18963 of 2024 has been filed by A1, Crl.O.P(MD)No.18810 of

2024 has been filed by A3, Crl.O.P(MD)No.18887 of 2024 has been filed by A2,



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Crl.O.P(MD)No.20272 of 2024 has been filed by A4 and A5 and Crl.O.P(MD)No.180 of 2025 has been filed by A7.

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2.The case of the prosecution is that the defacto complainant is engaged in textile business. There is a partnership firm called M/s.Abhinav Fabrics and there is also a private limited company named as M/s.Abhinav Fabrics Private Limited. The defacto complainant got acquainted with A1, who is working as a District Revenue Officer and he expressed his intention to expand the business. It is alleged that A1 deceived the defacto complainant that he will get Government contract and he introduced A2 to the defacto complainant, who was working as a Section Officer in the Secretariat. It is further alleged that A1 informed the defacto complainant that A3 to A5 had taken work order from Dima Hasao and asked the defacto complainant to register their profile with Gem Portal in order to get Government contracts. Accordingly, the defacto complainant is said to have paid a sum of Rs.25,000/- to A2 for this purpose. Thereafter, A1 and A2 informed the defacto complainant that they can secure Government contract from Assam in view of the special status given to the Council namely, Dima Hasao, which can enter into contract with any person in the country. Believing their words, the defacto complainant went to Guwahati in order to show the samples with the assistance of A2 and his team members, who are A3 to



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A5. They arranged for a meeting with A6, who claimed that he is a Procurement Director of Dima Hasao Autonomous Council. The defacto complainant also showed the samples to A6.

3.Further case of the prosecution is that on 28.12.2021, A1 informed the defacto complainant that order has been secured for which, a sum of Rs.10,00,000/- has to be paid for completing the formalities. This amount was remitted by the defacto complainant into the bank account particulars furnished to him. The defacto complainant also received a work order, dated 28.12.2021 and based on the same, the defacto complainant procured the materials and shipped the materials to the address given by the accused persons. Towards procuring materials, a sum of Rs.3.54 Crores was spent by the defacto complainant. The defacto complainant was further informed by A1 and A3 that they have secured a solar panel order worth about Rs.100 Crores. The defacto complainant was asked to arrange a sum of Rs.5 Crores for completing the formalities. The defacto complainant managed to pay a sum of Rs.4.82 Crores. Thereafter, further purchase orders were given to the defacto complainant. As per the instructions given by A3, the defacto complainant paid a further sum of Rs.50 Lakhs to the account of A8.



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4.The defacto complainant was insisting for the payment for the materials supplied by him and the same was evaded by the accused persons by assigning one reason or the other. Later the defacto complainant realized that he has been cheated by the accused persons to the tune of Rs.15 Crores. Upon continuous demand made to the accused persons, a sum of Rs.84.40 Lakhs was paid and thereafter, the defacto complainant was left high and dry.

5.The accused persons, who apprehended arrest filed anticipatory bail petitions and the accused persons who were arrested and remanded to judicial custody filed bail petition before this Court.

6.The anticipatory bail petitions in Crl.O.P(MD)No.18810, 18887, 18963 of 2024 came up for hearing on 08.11.2024 and this Court passed the following order:

"This Court heard the learned Senior Counsel, counsels appearing on behalf of the petitioners who have been arrayed as A3, A2 and A1 respectively. This Court also heard the learned Senior Counsel on behalf of the intervenor and the learned Government Advocate(Crl.side) on behalf of the respondent police. The learned Government Advocate(Crl.side) on behalf of the respondent police submitted that the police officer in the rank



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of the Deputy Superintendent of Police has been assigned the task of Investigation in this case.

2.Considering the submission made on either side, this Court deems it fit to direct the investigating officer to issue notice and call the accused persons for enquiry. The investigating officer shall consider the compliant given by the defacto compliant and also the materials relied upon. Based on the same, the accused persons shall be summoned and they shall co-operate for the enquiry and also shall give their statement along with the materials relied upon by them. This procedure can be resorted to at this stage since the case is borne out by records. This Court is inclined to give four weeks time to the investigating officer to conduct the preliminary enquiry and to submit a report before this Court. Based on the report, further course of action can be decided. It is made clear that whenever the investigating officer summons the accused persons, they are duty bound to attend the enquiry and clarify/give their statement. Hence, co-operation on behalf of the accused persons will also enable the investigating officer to arrive at some preliminary findings in this case.

3.Post these petitions for hearing on 09.12.2024. Till then, the petitioners need not be arrested.



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4.It is made clear that if the accused persons take advantage of this order and evade participation in the enquiry, that by itself will be ground for dismissal of the anticipatory bail petitions."

7.The bail petition filed by A4 and A5 came up for hearing on 21.11.2024 and this Court passed the following order:

"The petitioners / Accused Nos.4 and 5, who were arrested and remanded to judicial custody on 25.10.2024 for the offence under Sections 120 (b), 406, 420, 465, 468 and 471 of IPC in Crime No.09 of 2024, on the file of the respondent Police, seek bail.

2. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the intervener and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

3. Accused Nos.1, 2 and 3 have filed anticipatory bail petitions in Crl.O.P. (MD).Nos.18810, 18887 and 18963 of 2024 and this Court issued certain directions by an order dated 08.11.2024 and directed the accused persons not to be arrested.

4. In view of the above, this Court is inclined to grant interim bail to the petitioners subject to the following conditions.



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5. Accordingly the petitioners are ordered to be released on interim bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur 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 report before the Deputy Superintendent of Police, Karur, daily at 10.30 a.m., until further orders.

6. Registry is directed to post this case along with Crl.O.P.(MD). Nos.18810, 18887 and 18963 of 2024 on 09.12.2024."

8.The petitions were listed for hearing on 09.12.2024 and the following order was passed by this Court:

"Pursuant to the earlier order passed by this Court, a detailed status report has been filed by the respondent and this Court had the advantage of going through the entire status report. The investigation is now at a very crucial stage where the Investigating Officer namely Mr.N.Muthu Kumar, Deputy Superintendent of Police, DCB, Karur, has sent a communication to the



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Chairperson of DIMA HASAO Office, Haflong District, Assam and had sought for some particulars. That apart, the Investigating Officer is also verifying the details of the account holders by issuing necessary communication to the Banks. The Investigating Officer was present before the Court at the time of hearing and he stated that he has to personally go to Assam in order to expedite this process. He further stated that whenever the accused persons were called for the enquiry, they appeared before the Investigating Officer.

2. This Court wants to await the further report from the Investigating Officer before passing final orders in these petitions. It goes without saying that as and when the Investigating Officer calls for the enquiry, the accused persons are bound to appear before the Investigating Officer and cooperate during the investigation.

3. Registry is directed to post these cases on 06.01.2025. In the meantime, the interim protection granted by this Court shall continue.

4. The status report filed by the respondent Police shall be kept in a sealed cover."

9.The petitions were again listed for hearing on 06.01.2025 and this Court passed the following order:

"When the matter was taken up for hearing today, the learned Government



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Advocate (Criminal Side) appearing for the respondent Police submitted that the Investigation Officer visited Assam and had collected all the details and also the relevant documents. The relevant documents were placed before this Court in a sealed cover.

2. In view of the above, there shall be a direction to the Investigation Officer to file an additional status report containing the materials collected after visiting Assam. Based on the same, final orders can be passed in these petitions. The materials that were placed before this Court in a sealed cover was handed over to the learned Government Advocate (Criminal Side) and the same shall be placed before this Court along with the status report during the next date of hearing.

3. In Crl.O.P.(MD).No.20272 of 2024, it is brought to the notice of this Court that the petitioners are reporting before the Deputy Superintendent of Police, Karur, daily at 10.30 a.m. and whereas, the Investigating Officer in this case is the Deputy Superintendent of Police, District Crime Branch, Karur. It is also brought to the notice of this Court that the petitioners are reporting before the Deputy Superintendent of Police, DCB, Karur, as and when summoned.

4. In view of the same, the petitioners in Crl.O.P.(MD).No.20272 of 2024 are directed to appear before the Investigating Officer, viz., Deputy Superintendent of Police, District Crime Branch, Karur, as and when required for interrogation.



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5. Post these cases on 20.01.2025."

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10.Pursuant to the above order, the matter was listed for hearing on 20.01.2025 and this Court heard Mr.S.Sankar, Mr.S.Ramasamy, Mrs.B.Kalpana and Mr.A.Natarajan, learned Counsel appearing for the petitioners, Mr.B.Saravanan, learned Senior Counsel appearing for the intervenor and Mr.B.Thanga Aravindh, learned Government Advocate (Crl.Side) appearing for the respondent police.

11.The sum and substance of the submissions made on the side of the petitioners is that a pure and simple business transaction is being given a criminal color by the defacto complainant and that the complaint itself has been given to recover money from the accused persons and there is a significant delay in lodging the complaint which itself shows that the criminal law has been set in motion only to arm-twist the accused persons and recover the money. Insofar as A1 is concerned, it was contended that A1 is working as District Revenue Officer and he was approached by the defacto complainant for helping him to open a Gem Portal and that the defacto complainant wanted to get Government contracts through A1, which was not acceded to. Apart from that no money or any illegal gratification was received by A1. A2, who is presently working as BDO has also taken a similar stand



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since A2 was introduced to the defacto complainant by A1. Insofar as A3 is concerned, he was doing business along with the defacto complainant and that he had nothing to do with the contracts that were secured by the defacto complainant at Assam. Insofar as A4 and A5 are concerned, they have taken a stand that they have nothing to do with the business transaction and it was only A1 and A2 who had introduced the defacto complainant to them. They were also arrested by the respondent police and were remanded to judicial custody on 25.10.2024 and they were released on interim bail by this Court on 21.11.2024. Insofar as A7 is concerned, he has taken a stand that he has been falsely implicated in this case as if he had facilitated the contracts at Assam and that he has not received any money from the other accused persons and he is in no way involved in the business transactions between the parties.

12.The learned Government Advocate (Crl.Side) appearing on behalf of the respondent police submitted that it is a clear case of cheating where the accused persons have managed to lure the defacto complainant to part with materials by showing work orders from Assam, which were all found to be forged and fabricated documents. He further submitted that there are specific overt acts against each and every accused person in this case and it was contended that a well thought out

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conspiracy was hatched by the accused persons and the defacto complainant has been cheated to the tune of Rs. Nearly 15 Crores. He further submitted that A1 and A2 who are Government officials not only misused their office but also managed to connive with the other accused persons and forged work orders were manufactured and the defacto complainant was made to act upon the same. It was submitted that the accused persons are attempting to project as if it is a commercial transaction and whereas it has now come to light that there is a large scale conspiracy among the accused persons to cheat the defacto complainant by involving Assam State and that the case in hand requires custodial interrogation in order to gather vital information/materials to make substantial progress in the investigation. Accordingly, the learned Government Advocate (Crl.Side) sought for the dismissal of these petitions.

13.The learned Senior Counsel appearing on behalf of the intervenor apart from adopting the arguments of the learned Government Advocate (Crl.Side), placed various materials before this Court to establish as to how the defacto complainant was cheated by the accused persons. He submitted that there are absolutely no merits in these petitions and accordingly sought for the dismissal of these petitions.



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14.This Court has carefully considered the submissions made on either side and the materials available on record.

15.It is pellucid from the earlier orders passed by this Court that this Court wanted to ascertain and get the real picture behind the transaction that actually took place between the parties. This is the reason why this Court directed the accused persons to attend for the enquiry conducted by the investigation officer and did not rush through to take a decision in these petitions.

16.On going through the materials that have now been collected by the investigation officer, which was handed over in a sealed cover along with the status report, prima facie, it is seen that the accused persons have hatched a well thought out conspiracy in order to cheat the defacto complainant. It was an unholy alliance between the officials and the private individuals. The materials placed before this Court shows that moral turpitude is apparent on the part of the accused persons.

17.Insofar as A1 is concerned, he was the one, who started this exercise and introduced A2 to the defacto complainant. The messages that were exchanged by A1 and the defacto complainant shows that A1 was very much behind the entire



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transaction and he cannot feign ignorance. Similarly, A2 is actively involved in this case and he in fact travelled along with the defacto complainant and A5 to Guwahati. A3 is also very much involved in this case and he had also shared the forged work order and the specific overt act of A3 has been explained in detail in the status report. The involvement of A4, A5 and A7 has also been brought out in the status report.

18.The criminal intention on the part of the accused persons becomes more clearer due to the fact that the work orders that are said to have been issued by Sonoawal Kachari Autonomous Council, Matak Autonomous Council, Dima Hasao Council were all found to be forged and fabricated documents. For this purpose, the investigation officer went to Assam and conducted a detailed enquiry and found that each and every one of the work order was a forged document and no such work order was issued by any of the Council in Assam. In fact after coming to know about the fabricated work orders, it was informed to the investigation officer that an FIR has been registered at Assam based on the complaint lodged by the Principal Secretary of the Council and A8 had committed similar offence, for which investigation is pending. In view of the same, it is futile on the part of the accused persons to project the case as if it is a business transaction and that the defacto complainant is attempting to give it a criminal color. The fact remains that the payments have been



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made by the defacto complainant which is reflected in the bank statements and the supply of the materials have also been made to those persons, who were shown by A1 and A2.

19.The investigation officer has taken a specific stand that the larger conspiracy has to be unearthed for which custodial interrogation is required.

20.In the considered view of this Court, the seriousness of the allegations made in the complaint and the materials that have been unearthed shows that there is a clear element of moral turpitude on the part of the accused persons. If the accused persons are granted anticipatory bail, there are all chances of the evidence being tampered and the investigation getting delayed. That apart, the allegations are very serious since it involves another State and the investigation officer has to be given a free hand to decide as to whether he wants to call the accused persons for enquiry or wants to make custodial interrogation to collect more materials. The facts of the present case do not deserve any lenient consideration and the anticipatory bail petitions and the bail petition are liable to be dismissed by this Court.

21.The petitioners in Crl.O.P(MD)No.20272 of 2024 who were granted interim

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bail are directed to surrender before the Superintendent of Prisons, District Prison,
Karur on or before 24.01.2025 by 05.00 p.m.

22.In the result, all these criminal original petitions stand dismissed.
Consequently, connected miscellaneous petitions are closed.

sd/-
23/01/2025

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/01/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1.THE JUDICIAL MAGISTRATE NO.I,
KARUR.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3.THE SUPERINTENDENT,
DISTRICT PRISON, KARUR.

4.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KARUR.



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

COPY TO:

THE DEPUTY SUPERINTENDENT OF POLICE,
DCB,
KARUR

+1 CC to M/s.S.SANKAR, Advocate (SR-758[I] dated 23/01/2025)

+2 CC to M/s.A.MADHUMATHI, Advocate (SR-767, 734[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) Nos.18810, 18887, 18963 of 2024 and 20272 of
2024 and Crl.O.P(MD)No.180 of 2025
and
Crl.M.P(MD)Nos.11835, 11873 and 11807 of 2024
Date :23/01/2025

RK/VR (24/01/2025) 21P / 9C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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