



CRL OP(MD). No.15803 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Durai

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
District Crime Branch, (DCB)
Thoothukudi District.
(Crime No.08 of 2025)

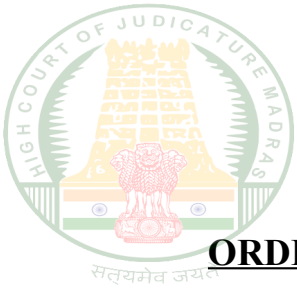
... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.08 of 2025 on the file of the
respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 25.08.2025 for the offences punishable under Sections 316(2), 318(4) of BNS 2023, in Crime No.08 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons are running a old car sales business in the name of Shiny Cars and the defacto complainant purchased a car for Rs. 4,50,000/- but the car was not functioning well, so the defacto complainant returned the car, but the accused persons failed to repay the money, thereby cheated the defacto complainant and made criminal breach of trust. 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 the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 25.08.2025. Hence, he seeks bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that there is no previous case pending as against the petitioner and the investigation has been completed. However, 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 there is a civil dispute and business transaction between the petitioner and the defacto complainant and the investigation has been completed and considering 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Thoothukudi, 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



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to ensure their identity.

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

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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].

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

(S S Y J)
22.09.2025

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1. The learned Judicial Magistrate No.IV, Thoothukudi.
2. The Superintendent, Perurani District Jail,
Thoothukudi.
3. The Inspector of Police,
District Crime Branch, (DCB)
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
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