



CRL OP(MD). No.16221 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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T.Alphonza Libaria

... Petitioner/Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Economic Offences Wing,
Nagercoil, Kanniyakumari District.
(Crime No.1 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.Bharathi

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.1 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 08.09.2025 for the offences punishable under Sections 120(b), 420, 406 of IPC and Section 5 of TNPID Act, in Crime No.1 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant deposited a sum of Rs.36,60,000/- before the Packiapuram Eustackiar Makkal Nidhi Limited, Arumani. Thereafter, the petitioner and the company allegedly cheated the defacto complainant by failing to repay the said amount. Hence, the complaint.

3.The learned Counsel for the petitioner submitted that the petitioner is ready to co-operate for the investigation. He further submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and the petitioner is in judicial custody from 08.09.2025



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4. The learned Additional Public Prosecutor submitted that the petitioner allegedly cheated the defacto complainant by failing to repay the amount of Rs.36,60,000/-. Therefore, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and since the petitioner has complied with the conditions imposed in the interim bail regularly, the interim bail already granted is made absolute and this Court is inclined to grant bail to the petitioner, with certain conditions.

[a] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

[d] 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



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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].

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

(S S Y J)
03.11.2025

msrm

To

1. The Tamil Nadu Protection of Interests of Depositors
(In Financial Establishments) Act, 1997,
Madurai.
2. The Superintendent, Special Women Prison,
Madurai.
3. The Inspector of Police,
Economic Offences Wing,
Nagercoil, Kanniyakumari 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
IN
CRL OP(MD) No.16221 of 2025

Date : 03.11.2025