



CRL OP(MD). No.17165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.17165 of 2025

Rajesh

... Petitioner/ Accused No.1

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
DCB Police Station,
Thanjavur District.
(Crime No.21 of 2025)**

... Respondent/Complainant

For Petitioner : Mr.A.Senthilkumar

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

For Intervenor : Mr.P.Arun Jayatram

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.21 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 20.08.2025 for the offences punishable under Sections 316(4), 318(4), 61(2) of BNS, 2023, in Crime No.21 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, during the period from 01.04.2025 to 13.06.2025, the defacto complainant allegedly noticed mismatches in the accounts maintained by the petitioner. On verification and audit, it was found that certain sale proceeds had not been deposited into the shop's business account. Instead, the petitioner is said to have credited those amounts into his personal bank account. 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 has already lodged a complaint in CSR No.292 of 2025 and based on that



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complaint, the defacto complaint and her husband were interrogated by the police. However, the police did not register a case against the defacto complainant and her husband. The petitioner has been in judicial custody from 20.08.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the investigation is still in progress.

5. Taking into consideration of the fact that despite 53 days inside the prison, the respondent has not completed investigation and also 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, Pattukkottai, Thanjavur District, and on further conditions that :-



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[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. The respondent Police shall also proceed with the investigation of the complaint lodged by the petitioner.

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

[d] the petitioner shall not abscond 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 is 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].



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

(S S Y J)
13.10.2025

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To

1. The Judicial Magistrate,
Pattukkottai, Thanjavur District.
2. The Superintendent, Sub-Jail,
Pudukkottai.
3. The Inspector of Police,
DCB Police Station,
Thanjavur 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.17165 of 2025

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