



CRL OP(MD). No.18867 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.18867 of 2025

Samathanam Eliza

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
DCB Police Station,
Thanjavur.
(Crime No.13 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Vivek

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.13 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 14.10.2025 for the offences punishable under Sections 316(2), 318(4), 340(2) of BNS, in Crime No.13 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant and the accused persons were jointly running an agent business for getting job at abroad, for which, the defacto-complainant received various amounts from 26 persons and handed over the same to this petitioner and A1, they have promised to make arrangement of job at abroad for the said 26 persons. To that effect, this petitioner and A1 receive a sum of Rs. 42,00,000/- through bank transaction and further this petitioner received a sum of Rs.5,50,000/- as cash, but after receiving the above said amount, this petitioner and A1 did not make any arrangement for getting job in abroad to the said 26 persons and thereby they cheated the said amount. Hence, the case



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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offences as alleged by the prosecution. He further submitted that A1 had already been granted bail by this Court in Crl.OP(MD).No.12247 of 2025 dated 31.07.2025. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. He further submitted that the petitioner is in judicial custody from 14.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that only a sum of Rs.1,15,000/- has been recovered from the accused persons and the remaining amount is yet to be recovered. He further submitted that there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and co-accused had already been released on bail and also considering the period of incarceration suffered by the petitioner and if the petitioner is



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directed to deposit a sum of Rs.3,00,000/- to the credit of crime number, the same would suffice to grant bail to the petitioner, with other 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.II, Thanjavur, and on further conditions that :-

[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 is directed to deposit a sum of Rs. 3,00,000/- (Rupees Three lakhs only) to the credit of Crime No.13 of 2025 before the learned Judicial Magistrate No.II, Thanjavur. On such deposit, the learned Judicial Magistrate No.II, Thanjavur, shall accept the sureties furnished by the petitioner. After receipt of entire amount, the learned Judicial Magistrate, No.II, Thanjavur, shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank



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initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.13 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

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

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

[e] the petitioner shall not abscond 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 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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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 BNS.

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(S S Y J)
29.10.2025

msrm

To

1. The learned Judicial Magistrate No.II,
Thanjavur.
2. The Superintendent, Special Prison For Women,
Trichy.
3. The Inspector of Police,
DCB Police Station,
Thanjavur.
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.18867 of 2025

Date : 29.10.2025