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CRL OP No. 4704 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4704 of 2026

Parthiban

..Petitioner

Vs

State, Rep. By
The Inspector of Police
DCB, Thiruvallur District,
Thiruvallur District.
(Crime No.10 of 2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending trial in C.C.No.77 of 2026 on the file of the learned Chief Judicial Magistrate, Tiruvallur in Crime No.10 of 2025 on the file of the Respondent Police

For Petitioner:

Mr.G.Sai Narayana Vasan

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.10.2025 for the alleged offences under Sections 316(4), 318(4), 336(2), 336(3), 338 & 340(2) of Bharatiya Nyaya Sanhita, 2023 r/w. 61 (2) of Bharatiya Nyaya Sanhita, 2023 in Crime No.10 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 05.09.2025, one J. Jayaselvam, Sherishtadar of Sub-Court, Thiruvallur, lodged a complaint before the Superintendent of Police, Thiruvallur, which was forwarded to the respondent police and an FIR was registered. According to the prosecution, one Mrs. Bhavani/first accused, former employee of Sub-Court, Thiruvallur, who handled FDR deposits in LAOP cases, created forged FDR and misappropriated about Rs.2 crores. It is alleged that she transferred the misappropriated amount to her relatives and also to the account of the petitioner. The specific allegation against the petitioner is that a sum of Rs.93,50,000/- was transferred to his bank account by the first accused. After investigation, charge sheet has been filed in C.C.No.77 of 2026 on the file of the Chief Judicial Magistrate Court, Thiruvallur.

3. The learned counsel appearing for the petitioner submitted that the petitioner is not at all an employee of the Court and he has no role in the alleged offence. According to the prosecution, a considerable amount was transferred to his account. But the petitioner contended that due to his friendship with the first accused, he has been falsely implicated in this case. He would further submit that the petitioner had borrowed money from the first accused for opening a textile shop and the said amount was credited to his account. Except the transfer of money, there is no material to show his involvement in the alleged forgery or misappropriation. The petitioner has been in custody since 31.10.2025 and the



investigation has already been completed. To show his bona fide of his defence, the petitioner volunteered to deposit a sum of Rs.11,00,000/- before the Chief Judicial Magistrate Court, Tiruvallur and in this regard, original Demand Draft No.148451 drawn on Dhanalaxmi Bank in favour of the Chief Judicial Magistrate, Thiruvallur dated 13.03.2026 has been shown before this Court and also filed a memo to that effect.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that a huge amount has been transferred to the petitioner's account and according to the prosecution, a sum of Rs.93 lakhs has been transferred. However, he fairly submitted that the investigation in this case has been completed.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned counsel on either side, this Court is of the view that the petitioner is not a Court employee and the allegation against him is mainly with regard to the transfer of money by the first accused to his account. The petitioner has been in custody since 31.10.2025. The investigation has already completed and charge sheet has been filed. Further to show the bona fide, the petitioner volunteered to deposit a sum of Rs.11,00,000/- before the



Chief Judicial Magistrate Court, Tiruvallur, and file a memo to that effect.

Considering these factors, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on condition permitting to deposit a sum of Rs.11,00,000/- as volunteered, by way of original Demand Draft No.148451 dated 13.03.2026 drawn on Dhanalaxmi Bank in favour of the Chief Judicial Magistrate, Thiruvallur and on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the *learned Chief Judicial Magistrate Court, Tiruvallur*, and subject to the following conditions:

[a] On such deposit being made, the Chief Judicial Magistrate, Thiruvallur shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the criminal case.

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police



at 10.30 a.m. until further orders;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[g] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1. The learned Chief Judicial Magistrate Court, Tiruvallur

2. Central Prison, Puzhal.

3. The Inspector of Police DCB, Thiruvallur District, Thiruvallur District.

4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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