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CRL OP No. 4966 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4966 of 2026

D.Dinakaran

..Petitioner

Vs

The State Rep. By
The Inspector of Police
Ramanathapuram Police Station,
Coimbatore City.
Crime No.488 of 2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge this Petitioner/Accused herein on bail in Crime No.488 of 2025 on the file of the Respondent/complainant i.e. on the file of the Inspector of Police, Ramanathapuram Police Station, Coimbatore.

For Petitioner:

Mr.S.Kartik

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.01.2026 for the alleged offences under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 in Crime No.488 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that A1 and A2, along with other accused, formed a company in the name and style of ABM Traders and induced wholesale grocery suppliers through the online platform “Export India” to supply goods by issuing purchase orders. In the present case, the defacto complainant running business under the name RJ Nuts and Spices, Coimbatore, supplied cashew nuts and part payment alone was made and the remaining amount was not paid and when demanded, threats were allegedly issued.

3. The learned counsel appearing for the petitioner submitted that according to the prosecution, A1 to A6 conspired together and cheated the defacto complainant. However, the petitioner is only running a shop in the name and style “Sri Thindalmurugan Traders” and he purchased the grocery items from A1 to A6 in the ordinary course of business believing their words. He further submitted that the petitioner has no connection with the alleged transaction between the defacto complainant and A1 to A6 and his name has been implicated only based on the confession of A1. The petitioner was not aware of any prior transaction between the defacto complainant and the other accused. It is also submitted that the petitioner has been in judicial custody for more than 50 days and that he has been running the shop with a valid GST registration since 18.11.2017. Hence, he prayed for grant of bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the transaction had taken place between A1 to A6 and the defacto complainant and the investigation is still in progress. Hence, he opposed the grant of bail.

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

6. While looking at the facts of the case, it is seen that the petitioner is running a shop in the name and style “Sri Thindalmurugan Traders” and he is having valid GST registration since 18.11.2017. There appears to be *prima facie* material supporting the contention of the petitioner that he had purchased the goods from A1 to A6 in the ordinary course of business. It is also seen that the petitioner has been in incarceration since 04.01.2026 and the first accused has already been enlarged on statutory bail, which fact was not denied by the learned Government Advocate.

7. In such view of the matter and taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions



8. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate No.VI, Coimbatore** and subject to the following conditions:

[a] 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two month and thereafter as and when required for interrogation;

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

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

[e] 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];

[f] 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 Judicial Magistrate No. VI, Coimbatore.
- 2.The The Inspector of Police, Ramanathapuram Police Station, Coimbatore City.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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