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CRL OP No. 7303 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7303 of 2026

M.Arulkumar

..Petitioner

Vs

The State Rep. by,
The Inspector of Police
District Crime Branch,
Ariyalur District.
Crime No.1 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.1
of 2026 on the file of the respondent police.

For Petitioner:

Mr.K.Prabhakaran

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
27.02.2026 for the alleged offences under Sections 318(4) & 61(2) of the
Bharatiya Nyaya Sanhita, 2023, (Section 420 and 120(B) of Indian Penal Code,
1860) in Crime No.1 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto complainant, a businessman, was induced by the accused persons to obtain financial assistance of Rs.100 crores and the accused persons conspired together and cheated the complainant by creating false representations and fabricated documents. Believing the same, the complainant transferred Rs.2 crores through RTGS and also paid Rs.25 lakhs in cash. Thereafter, the accused persons obtained signatures on promissory notes, agreements and blank cheques and absconded without arranging the loan. Upon verification, the complainant found that the entire transaction was fraudulent. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that there are totally 15 accused in this case and this petitioner is arrayed as A13 and he has been in incarceration since 27.02.2026. It is further submitted that the main overt act is only against A1 and as against this petitioner, the allegation is only that he has fabricated certain documents for the purpose of getting commission of Rs.50,000/-. The learned counsel would also submit that except A1, all other accused have already been released on bail, which fact was not seriously disputed by the learned Government Advocate (Crl.Side). It is further submitted that the petitioner is ready to cooperate with the investigation and will not abscond or tamper with witnesses. Hence, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was also involved in the conspiracy and has played a role in fabrication of documents which facilitated the commission of the offence. However, it is fairly submitted that other co-accused have already been enlarged on bail.

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

6. Considering the submission of the learned counsel on either side, it is seen that though there are serious allegations in the case, the specific overt act as against this petitioner is limited in nature. Further, taking into consideration of the limited overt act mentioned in the counter statement, the long incarceration of the petitioner since 27.02.2026 and the fact that the co-accused have already been released on bail, 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 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 **Principle Sessions Judge, Ariyalur Session Division, Ariyalur**, 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 twice a day at 10.30 a.m. and 05.30 p.m. for a period of one month and thereafter as and when required for interrogation;

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

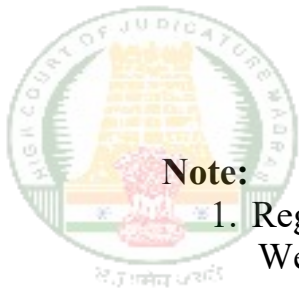
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[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 Principle Sessions Judge, Ariyalur Session Division, Ariyalur.
2. Central Prison, Trichy.
3. The Inspector of Police, District Crime Branch, Ariyalur District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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