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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7506 of 2026

P. Peter Arivarasan

..Petitioner

Vs

State rep by, The Inspector of Police,
J-8, Neelankarai Police Station,
Neelankarai, Chengalpet District.
(Crime No.32 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.32 of 2026 on the file of the Inspector of Police, Neelankarai Police Station, Neelankarai, Chennai District.

For Petitioner: Mr.P.S.Ravi Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.01.2026 for the alleged offences under Sections 318(4), 316(2) of the Bharatiya Nyaya Sanhita, 2023 (Section 420 & 406 of Indian Penal Code, 1860) in Crime No.32 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Manager of the Pawn broker. The petitioner got acquainted with the defacto



complainant, induced her as though he has to redeem 117 grams of gold jewels which are allegedly pledged with another finance company, thereby received a sum of Rs.8,92,000/- from her through one of her staff. However, after receiving the said amount, the petitioner/accused evaded her, thereby cheated the defacto complainant. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and the dispute is purely civil in nature arising out of business transactions. It is submitted that the amount was given towards repayment of existing liability. The learned counsel would further submit that the petitioner has been in incarceration for a considerable period through PT warrant and no custodial interrogation is required. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner cheated the defacto complainant and obtained huge amount under false pretext. It is further submitted that there are two previous cases are pending against the petitioner. Hence, he opposed the 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 and the fact that the petitioner has been in custody since 27.01.2026, this Court finds that custodial interrogation of the petitioner is not required for this type of offence. Though the petitioner has two previous cases, taking into account the nature of the allegations and the long incarceration under the PT warrant, this Court is inclined to grant 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 **District Munsif Cum Judicial Magistrate Court, Sholinganallur** 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.

25-03-2026

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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 District Munsif Cum Judicial Magistrate Court, Sholinganallur.
2. The Sub Jail, Saidapet.
3. The Inspector of Police, J-8, Neelankarai Police Station, Neelankarai, Chengalpet District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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