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CRL OP No. 8820 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8820 of 2026

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..Petitioner(s)

Vs

The State
By The Deputy Superintendent of Police
Economic Offences Wing,
Kancheepuram, Kancheepuram District.
Crime No.02/2019

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioner on bail in the event of arrest by the Respondent Police in connection with C.C. No. 06/2025 pending on the file of the Special Judge under (TNPID Court) at Chennai in Crime No.2 of 2019.

For Petitioner(s): Mr.M.Raja

For Respondent(s): Mr.P.Dhileepan
Government Advocate
(Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 420, 409, 109, and 120(b) of the



Indian Penal Code (IPC), 1860; Section 5 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997 (TNPID Act); and Sections 21(1)(2)(3) and 23 of the Banning of Unregulated Deposit Schemes Act, 2019 (BUDS Act), in Crime No.2 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was acquainted with A16, who induced her to invest Rs.3,50,000/- in the "Q-NET" e-commerce business with false assurances of high profits. The amount was transferred in December to A16's bank account. During a training session in Thailand, the complainant discovered the business was fraudulent, utilising scripted presentations to deceive investors. Upon confrontation, A16 allegedly admitted to the fraud but failed to return the money, and the complainant was subsequently threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner's involvement was confined strictly to carrying out legitimate business activities and earning commissions on sales effected in the ordinary course of business. He contends that the petitioner held no managerial, administrative, or decision-making role in the affairs of the company. It is further submitted that the petitioner only became aware of the case against A1/company and others, which has since culminated in C.C.No.6 of 2025, after the proceedings commenced.



Since several co-accused have already been enlarged on anticipatory bail, the petitioner seeks similar relief on the grounds of parity.

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4. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner was not originally named as an accused in the FIR and his role surfaced only during the course of the ongoing investigation.

5. As per the averments in the charge sheet, the petitioner's role appears to be that of a service provider. Even by the prosecution's own account, his involvement is linked to commissions earned through regular transactions. Considering that the co-accused have been released on anticipatory bail and noting that the alleged occurrences took place in 2017, while the FIR was registered in 2018, this Court is of the firm view that after such a significant lapse of time, custodial interrogation is not necessitated. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the Special Court Under TNPID



Act, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

[a] If the petitioner(s) fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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 identify proofs to ensure their identity;

[c] The petitioner shall appear before the Trial Court on all hearing dates without fail;

[d] The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[f] the petitioner to give an undertaking that if required



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for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

[i] If the petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Special Court Under TNPID Act, Chennai.
- 2.The Deputy Superintendent of Police, Economic Offences Wing-II-CID, Kancheepuram, Kancheepuram District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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