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CRL OP No. 8753 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8753 of 2026

and

CRL MP No. 6813 of 2026

Marimuthu

..Petitioner

Vs

The State rep by
The Assistant Commissioner of Police
Entrustment Document Fraud Wing-II,
Central Crime Branch-I,
Chennai.
(Crime No.3 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.3 of 2026 on the file of the Respondent Police.

For Petitioner:	MR.P.V. Balasubramanian, Senior Counsel for Mr. Arul Gnana Prakash
For Respondent:	MR.S.Vinoth Kumar, Govt Advocate (Crl.Side)
For Intervenor:	MR.A.S.Aswin Prasanna

Order

The petitioner, who was arrested and remanded to judicial custody on 10.02.2026 for the alleged offence under Sections 408, 409 and 420 of the



Indian Penal Code in Crime No. 3 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has misappropriated confidential customer data and proprietary business information of the de facto complainant company and further diverted existing customers to the petitioner's company. According to the prosecution, the petitioner has caused Rs.22 crores loss to the de facto complainant. Hence, this case.

3. The learned counsel for the petitioner submitted that the FIR was registered on 19.01.2026 and the petitioner has been incarcerated since 10.02.2026. The only allegation against the petitioner is that he has misused the confidential data and thereby undertaken competing business against the de facto complainant. The learned counsel for the petitioner further submitted that though the petitioner was initially the Assistant Vice President of the de facto complainant, thereafter he resigned from the company. He started his own company prior to his resignation and with the knowledge of the de facto complainant and since the petitioner has continued his business more effectively, the de facto complainant got enraged and given this false complaint.

4. The learned counsel for the Intervenor submitted that by taking confidential information of the de facto complainant and also the details of the



customers has diverted the de facto complainant's business to the petitioner's company. It is the specific contention of the learned counsel for the Intervenor that the petitioner has never informed of the commencement of the company and came to know only later, prior to the filing of the complaint. It is the specific submission of the learned counsel for the Intervenor, by cheating and breach of trust, the petitioner has committed loss to the tune of Rs.22 Crores to the de facto complainant.

5. The said contention was reiterated by the learned Govt Advocate (Crl.Side) and further submitted that the investigation is pending. However, he opposed to grant bail to the petitioner.

6. I have considered the submissions made on both sides and also perused the records available.

7. Considering the facts and circumstances of the case, it is seen that though the learned Govt Advocate (Crl.Side) submitted that investigation is pending, considering the totality of the circumstances and upon the fact that the petitioner is incarcerated since 10.02.2026 and upon the further fact that it appears to be a dispute between two business rivalry, this Court is of the firm view that further custodial interrogation of the petitioner is not required. Hence, 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 each**, for a like sum to the satisfaction of the **learned Metropolitan Magistrate for exclusive trial of CCB cases (relation to Cheating cases in Chennai) and CBCID Metro cases, Egmore, Chennai**, and on further conditions that:

[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 learned respondent police daily at 10.30 a.m., for the period of thirty days 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned



Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 Metropolitan Magistrate for exclusive trial of CCB cases (relating to cheating cases in Chennai) and CBCID Metro cases, Egmore, Chennai.
2. The Central Prison-II, Puzhal, Chennai.
3. The Assistant Commissioner of Police
Entrustment Document Fraud Wing-II,
Central Crime Branch-I,
Chennai.
4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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