



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15517 of 2026

Madhujith Arumugam

..Petitioner

Vs

State Rep. by,
The Inspector of Police,
T-20, Kanathur police Station,
Chengalpattu, Crime No.76 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.76 of 2026 on the file of the respondent police.

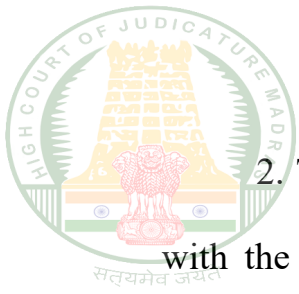
For Petitioner: Mr.V.Sundar Raman

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

For Intervenor: Mr.R.C.Paul Kanagaraj
for Mr.V.C.Balaji

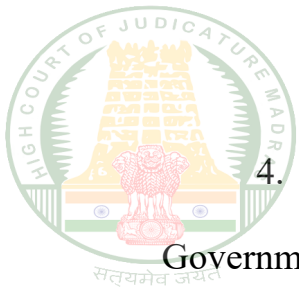
ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2026 for the alleged offences under Sections 316(2), 318(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.76 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner, who was acquainted with the defacto complainant's daughter, induced the defacto complainant to invest Rs.1 crore in an interior designing business. According to the prosecution, after receiving the amount, the petitioner failed to return the investment. The petitioner however, contends that the transaction was purely a business arrangement, that the business suffered loss, that Rs.50 lakhs has already been repaid and an MOU was executed for repayment of the remaining amount.

3. The learned counsel appearing for the petitioner would submit that the petitioner and the defacto complainant's daughter were friends and there existed a business relationship between the families. Though the petitioner admittedly received a sum of Rs.1 crore, the same was invested in the proposed business and the business could not take off as expected, resulting in financial loss. The learned counsel would further submit that the petitioner has already repaid Rs.50 lakhs, which is specifically reflected in the FIR itself and for recovery of the remaining amount, instead of approaching the Civil Court, the defacto complainant has chosen to invoke the criminal machinery. It is also submitted that the objection regarding the petitioner not having a permanent address is unfounded, since the Aadhaar Card, lease agreement and the bank passbook of A3 clearly establish the residential address of the petitioner. Hence, he prayed to grant bail to the petitioner.



4. The said factual position is not seriously disputed by the learned Government Advocate (Crl. Side) appearing for the respondent.

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5. The learned counsel appearing for the intervenor strongly opposed the bail application by contending that the petitioner and his parents have indulged in similar transactions by inducing investors and thereafter failing to return the money. It is further submitted that there is a previous CSR entry of similar nature and if the petitioner is enlarged on bail, it would be difficult to proceed with the trial.

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

7. Though serious objections were raised regarding the antecedents and residential address of the petitioner, the materials produced by the petitioner establish that he has a permanent residential address. Coming to the previous antecedents, the same is not of much significance for the offence alleged under Section 318 of BNS. A perusal of the FIR itself discloses that there existed a business transaction between the petitioner and the defacto complainant and it is also not in dispute that the petitioner has already repaid a sum of Rs.50 lakhs. Taking into consideration the nature of the transaction, this Court is of the firm view that the dispute contains substantial elements of a civil nature. Further,



considering the period of incarceration undergone by the petitioner since 21.05.2026, this Court is of the view that his further custodial interrogation is not required. Hence, this Court is inclined to enlarge the petitioner on bail, subject to 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 (out of which one surety must be a blood related surety) 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 two weeks 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;



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[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner 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.

29-06-2026

NSL

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 at Sholinganallur.
2. The Superintendent, Central Prison II, Puzhal.
3. The Inspector of Police, T-20, Kanathur police Station, Chengalpattu.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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