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CRL OP No. 33500 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 33500 of 2025

Balamurugan

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Economic Offences Wing-II,
Headquarters, Ashok Nagar,
Chennai
Crime No.15/2024

..Respondent(s)

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail pending trial in CC.No.11 of 2024 on the file of the Honourable Special Judge TNPID Court, Chennai.

For Petitioner(s): Mr.T.S.Sasi Kumar

For Respondent(s): Mr.A.Gopinath

Government Advocate (Crl.Side)



ORDER

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This is the third bail application filed by the petitioner for seeking bail.

This Court while considering the second bail application in Crl.O.P.No.7162 of 2025 dated 05.08.2025 dismissed the bail application for the following reasons.

8. *Considering the submissions made and on perusal of the materials, it is seen that there are totally four accused in this case. A1 is the Firm, A2 is the Proprietor, A3, husband of A2 and the man behind the entire operations of A1, A4 is the Manager of A1 Firm. The petitioners A2 and A3 were running the firm, both entered into a rental agreement with 55 property owners for 121 houses for a monthly assured sum and thereafter leased out the houses to 121 lessees and collected a sum of Rs.8,55,05,475/-. Initially, they were paying some amount to the property owners to gain confidence and thereafter they failed to pay the agreed amount. Likewise, when the lessees intended to cancel the lease agreement, they were not paid back the lease amount. Now, on the one hand the property owners are denied of their property and on the other hand, each of the lessees lost their hard earned money of several lakhs. Thus in a deceitful manner, the petitioners cheated, misappropriated both property owners and lessees by devising a scheme and in a schemic manner committed cheating and misappropriation. The further investigation is primarily to locate the properties discredited by the petitioner and to unearth the money parked in safe places, so that attachment of those properties can be made and paid back to the innocent victims. Further, from*



the affidavit filed by A3, it is confirmed that A2 and A3 are legally wedded husband and wife and they purchased properties jointly. In view of the above, this Court is not inclined to grant bail to the petitioners.

2. The learned counsel for the petitioner once again submitted that the petitioner herein is only a friend of the A2 in this case and he has not involved in any of the transactions or made any statement that he is also involved in business activities and thereby collected money. He further submitted that earlier bail application was dismissed on the ground that further investigation is pending and now the further investigation is also concluded and now supplementary final report has been filed including 70 witnesses as a list witnesses to be examined in the trial. Already in the first final report, witnesses were cited, out of which 10 witnesses were examined and the petitioner is cooperating with the trial process and since the trial of the case could not be completed at the earliest point of time and considering the period of incarceration, prays to grant bail. He further relied on the orders passed by the Hon'ble Apex Court in ***SLP(Crl) No.12395 of 2025*** vide order dated 18.12.2025 in the case of ***Michale Raj vs. Inspector of Police***, to substantiate his argument that continuous incarceration and custody interrogation of the petitioner is not necessary. Hence, he pleaded to grant bail.



3. The learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that in the earlier bail application, orders passed by this Court in Crl.O.P.No.7162 of 2025 dated 05.08.2025 elaborately considered the merits of the claim of petitioner including the way in which the petitioner have involved in offences. He further submitted that further investigation conducted had also added the total amount cheated by the petitioner to an extent of additional Rs.3.07 crores and as on date, the default amount arrived at Rs.7.51 crores. Hence, the allegation of the offences committed is aggravated and enlarged to the extent of Rs.7.51 crores and total victims have now increased to 164 and hence opposed to grant bail.

4. I have gone through the orders passed by this Court in Crl.O.P.No.7162 of 2025 and also connected materials including the judgment of the Hon'ble Apex Court cited by the learned counsel for the petitioner. In this case, the petitioner is under incarceration from 03.09.2024 and this Court in the earlier order passed as elaborately considered all the points raised including the continuous incarceration of the petitioner in Crl.O.P.No.7162 of 2025 as incorporated in para 1 of this order above. Further investigation has revealed that additional 70 victims have been cheated by the petitioner and it is also stated that so far the money siphoned has not been recovered and only Rs.1 crore 31 lakhs worth property has been identified and I am of the view that



since final report has been filed recently i.e on 19.11.2025, I am of the view that granting bail at this stage will further hamper the trial process and hence, this Court is not inclined to grant bail to the petitioner.

5. In view of the above, this Criminal Original Petition is dismissed.

19-01-2026

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

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To

1. The Inspector of Police
Economic Offences Wing-II,
Headquarters, Ashok Nagar,
Chennai

2. The Public Prosecutor
High Court of Madras



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K.RAJASEKAR, J.

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