IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, CHENGALPATTU

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Thursday, the 04th day of June 2026.

Crl.M.P. No.1672 of 2026
(CNR No. TNCG01-003503-2026)

Rajesh, aged about 36 years, S/o.Jayashanmugam,
.. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Central Crime Branch, Tambaram
Cr. No.95 of 2026 .. Respondent/Complainant
U/s.316(2), 318(4) of BNS, 2023.

// and //

E.G.Saminathan, S/o.Gajapathy, .. Intervenor/defacto complainant
in CMP No.1699 of 2026

This petition for bail coming on this day for hearing before me, M/s.M.Muthupandi, the learned counsel is appearing for petitioner/accused, M/s.R.Thirumurugan, the learned Public Prosecutor is appearing for the respondent/complainant and of M/s.R.N.Ganesh, the learned counsel is appearing for the intervenor/defacto complainant, upon hearing the arguments and upon perusal of case records, this Court made the following

O R D E R

The petition in Crl.M.P. No.1672 of 2026 is filed by the petitioner/ accused U/s.483 of BNSS 2023, seeking to enlarge the petitioner on bail, whereas, the Crl.M.P. No.1699 of 2026 is filed in order to object to grant bail to the petitioner/accused.

2. The petitioner/accused is facing charges for the alleged offences punishable U/s.316(2), 318(4) of BNS, 2023.

3. Notice given to the Public Prosecutor for the State and the reply received. Heard both sides; records perused.

4. The case of the prosecution is that the defacto complainant is doing heart-related medical equipments importing business. The defacto complainant got acquaintance with the petitioner through one Ravichandran and he developed goodwill and trust over the him. Later out of their acquaintance, the petitioner induced and lurred the defacto complainant as if he is an expert person in trading business thereby made him to invest money in the trading business. Further, the petitioner received money from the defacto complainant on the pretext of various reasons, thereby received a sum of Rs.15,68,82,998/- from him on various occassions. When the defacto complainant asked his money, the accsued have evaded him, thereby the accused have cheated the defacto complainant to the tune of Rs.13,99,82,998/-. Thereby a case in Cr. No.95 of 2026 has been registred on the file of respondent Police Station.

5. The learned counsel for the petitioner would submit that the petitioner is innocent of offence; from the initial point of time, the petitioner has no intention to cheat the defacto complainant; in fact the defacto complainant himself got acqauintance with the petitioner and expressed his willingness to invest money in the online trading business; accordingly, the petitioner had helped him to invest money in the online business, and he was paid a sum of Rs.1,69,00,000/- as profit out of the business; since they are facing loss in the business, the defacto complainant lodged this false complaint; all the money transactions are made only through bank, thus the nature of transactions are commercial in nature;

while the facts are being so, the petitioner was arrested on 27.04.2026 and he is in judicial custody for the past 39 days; meanwhile, the respondent police has taken the petitioner/accused on custody for the purpose of interrogation and the petitioner has been reproduced to judicial custody; now most of the investigation has been completed and his continued presence in prison is not necessary; moreover, the petitioner is ready to abide by any conditions to be imposed upon him and he is ready to offer substantial sureties before the Court, thereby prayed for enlargement on bail.

6. The learned Public Prosecutor, on the other hand, made his vehement contentions re-iterating the prosecution case and prays for the dismissal of the petition.

7. The learned counsel who is appearing for the intervenor/defacto complainant made his lengthy arguments canvassing that the accused were carrying business under the name of 'Hentec Market' and stated that the business was highly profitable business, but as they had no money, they could not continue the business and requested the defacto complainant to invest money in the business promissing that he would get huge profots. Believing their representations and inducements to be true, the defacto complainant was persuaded to invest substantial amounts in trading activities. Out of the money derived from the defacto complainant, the petitioner also purchased a car in the name of defacto complainant for his personal use and the car continued to remain under the control and possession of the accused persons. Further, the accued have misused the informant's credentials and business reputation for obtaining loans from various financiers in the name of informant and business capacity to the tune of about Rs.12,64,00,000/-. Till date the accused did not give a single rupee as business profit. When the informant asked them, they stated that they have sustained loss in the business, thereby cheated the defacto complainant to the tune of Rs.13,99,82,998/-. The informant came to understand that the petitioner/accsued and his wife are habitual offenders and they have cheated several prsons in similar manner. Hence, he objected to grant bail to the petitioner.

8. On perusal of records and from the submissions, it appears that in order to invest money in the online trading business, the defacto complainant had paid his money to the petitioner, however, it is alleged that the petitioner has failed to repay the profit as assured thereby cheated the defacto complainant to the tune of Rs.13,99,82,998/-. Admittedly, the defacto complainant had received a sum of Rs.1,69,00,000/- as profit, however, since the business met with loss, he could not be get back further money. It is further seen, the entire transactions have been made through bank transfers, therefore, there is no possibility of tampering the evidences. It appears that the petitioner is in judicial custody for the past 39 days, meanwhile, it appears the petitioner/accused was taken into police custody for the purpose of interrogation and has been remanded back to prison under judicial custody, therefore, substantial portion of investigation ought to have been completed by this time. Taking into consideration the duration of custody, the issue seemed to be commercial in nature, since the evidences are documentary in nature, there is no possibility of tampering the evidences, stage of investigation, keeping further the accused in prison will not serve any purpose and also considering the overall facts and circumstances of the case, this court is inclined to grant bail to the petitioner.

9. In the result, the petition in Crl.M.P. No.1672 of 2026 is allowed; the intervenor petition in Crl.M.P. No.1699 of 2026 is closed. The petitioner/ accused is ordered to be released on bail on his execution of bond for Rs.25,000/- with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Chengalpattu, with further conditions that,

1. The sureties shall affix their photographs and Left Thumb Impression (LTI) in the surety bond and the sureties shall produce copy of any identity proof before the learned Magistrate to ensure their identity;
2. The petitioner/accused is directed to report before the respondent police station daily at 10.30 A.M. for a period of 30 days;
3. The petitioner/accused shall not tamper the evidence either during investigation or trial;
4. The petitioner shall not abscond either during investigation or trial;
5. If there is any breach of conditions, the Investigation Officer shall report to the learned Magistrate and the learned Magistrate shall take appropriate action as if the conditions have been imposed by the Magistrate himself/herself in accordance with the decision in ***AIR 2006 SC 100 - P.K. Shaji Vs State of Kerala.***

Pronounced by me in open Court, on this the 04th day of June 2026.

Principal District and Sessions Judge,
Chengalpattu.

<u>To</u>
The Judicial Magistrate No.II, Chengalpattu.
The Inspector of Police, Central Crime Branch, Tambaram
The Superintendent, District Jail, Chengalpattu.