
(2025) 12 MAD CK 0027

Madras HC

Case No: Criminal Original Petition No. 33654 Of 2025

Priyanga @ Marilala Dyana

APPELLANT

Vs

State

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Indian Penal Code, 1860-Section 406, 420
- Bharatiya Nyaya Sanhita, 2023-Section 269

Hon'ble Judges: K. Rajasekar, J

Bench: Single Bench

Advocate: E.Shanthakumar, A.Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 11.10.2025 for the alleged offence punishable under Sections 406, 420 of IPC, in Crime No.771 of 2024 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner joined hands with other two accused collected a sum of Rs.12.90 crores from the defacto complainant on the promise of securing a medical college seat in a private institution. However, the petitioner neither secured the admission nor refunded the amount. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner, being a lady, is in judicial custody since 11.10.2025 and that she has been falsely implicated in this case only because she is the wife of A2. He further submitted that co-accused/A2 was released on bail. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally 3 accused in this case and the petitioner is ranked as A1. He further submitted that the petitioner is the main accused who collected the

money from the defacto complainant. He further submitted that A3 is still absconding. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioner, being a lady and the co-accused was released on bail and also considering the period of her incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Poonamallee, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three 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;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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