



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 20208 of 2026

Stewart Abel

..Petitioner(s)

Vs

The State Rep. By,
The Inspector of Police,
Pattabiram Police Station,
Thiruvallur District.
Crime No.412 of 2025.

..Respondent(s)

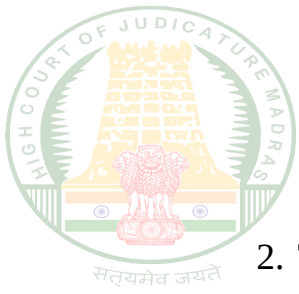
Prayer: Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.412 of 2025 on the file of the Respondent.

For Petitioner(s): Mr.C.Arivazhagan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2026 for the alleged offences under Sections 316(2) and 318(4) of BNS in Crime No.412 of 2025 on the file of the respondent police, seeks bail.

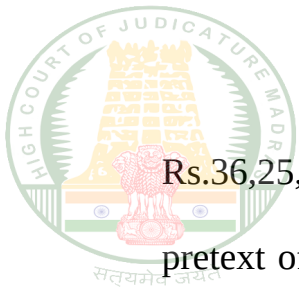


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2. The case of the prosecution is that the petitioner, who was running a travel business under the name and style of JTK Tours and Travels, arranged a tour for the defacto complainant and other victims to travel to Dubai. It is alleged that the petitioner received a sum of Rs.36,25,000/- from the defacto complainant and the other victims for the purpose of exchanging the same into UAE Dirhams (AED). However, after reaching Dubai, the petitioner allegedly failed to exchange the amount into the local currency and hand it over to the victims. It is further alleged that the petitioner has failed to repay the said amount to the defacto complainant and the other victims. Hence, the case.

3. The learned counsel for the petitioner submitted that the allegations levelled against the petitioner are false. He further submitted that the alleged occurrence is stated to have taken place on 07.01.2025, whereas the First Information Report came to be registered only on 25.09.2025. He further submitted that the petitioner has been in judicial custody since 05.06.2026 and is ready and willing to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, while reiterating the prosecution case, strongly opposed the grant of bail and that the petitioner had allegedly received a sum of



Rs.36,25,000/- from the defacto complainant and the other victims on the pretext of exchanging the same into UAE Dirhams and had cheated them. He

also contended that, if the petitioner is enlarged on bail, it would be difficult to find out the layering of money and that, with great difficulty, the petitioner has been arrested after a period of nine months. However, he fairly submitted that the petitioner has no criminal antecedents.

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

6. Though the learned Government Advocate (Crl. Side) strongly opposed the grant of bail, he fairly submitted that the petitioner has no criminal antecedents. Apart from that the petitioner has been in incarceration since 05.06.2026 in connection with the alleged occurrence that took place on 07.01.2025, while the FIR came to be registered only on 25.09.2025.

7. Considering the above circumstances, and taking note of the fact that a major portion of the investigation has been completed, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions. At this juncture, the learned counsel appearing for the petitioner voluntarily submitted that the petitioner, without prejudice to his



defence, is willing to deposit a sum of Rs.25,00,000/- to the credit of the crime number.

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8. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate No.II, Thiruvallur, and subject to the following conditions:

[a] The petitioner shall deposit a sum of Rs.25,00,000/- (Rupees Twenty Five Lakh only) to the credit of Crime No.412 of 2025, without prejudice to his defence. Upon such deposit being made, the defacto complainant and other victims shall be at liberty to withdraw the said amount by filing appropriate applications before the jurisdictional Court and upon due identification and in a proportionate manner;

[b] 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;

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



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[f] 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]***;

[g] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

28.07.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

dpa

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 Judicial Magistrate No.II, Thiruvallur.
- 2.The Superintendent, Sub-Jail, Thiruvallur.
- 3.The Inspector of Police, Pattabiram Police Station, Thiruvallur District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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