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CRL OP Nos. 2188 & 2285 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP Nos. 2188 & 2285 of 2026

CRL OP No. 2188 of 2026

P.Jiyas

Petitioner(s)

Vs

The State of Tamilnadu rep.by,
Inspector of Police, T-1, Tambaram
Police Station, West Tambaram,
Chennai-600 045.

Respondent(s)

CRL OP No.2285 of 2026

T.Murugan

..Petitioner

Vs

The State Rep by
The Inspector of Police,
T1, Tambaram Police Station,
Chengalpet District-600 045.
Crime No.12 of 2026.

..Respondent

Common Prayer: Criminal Original Petitions filed under Section 482 of BNSS Act, 2023, praying to **grant anticipatory bail to the petitioners in the event of their arrest by the respondent in Cr.No.12/2026 on the file of respondent police.**

CRL OP No. 2188 of 2026

For Petitioner(s):
For Intervenor

M/s.E.K.Kumaresan
Mr.M.Guberamoorthy



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CRL OP Nos. 2188 & 2285 of 2026



For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

CRL OP No. 2285 of 2026

For Petitioner : Mr.S.R.Karthikeyan
For Intervenor : Mr.M.Guberamoorthy
For Respondent : Ms.J.R.Archana
Government Advocate (Crl.side)

COMMON ORDER

The petitioners apprehends arrest for the alleged offences **punishable under Sections 316(2), 318(4), 61(2) of the BNS, 2023, in Crime No.12 of 2026**, on the file of the respondent police and seeks anticipatory bail.

2.The allegation against the petitioners is that the petitioner/A4 in Crl OP No.2188 of 2026 is the official of the Federal Bank and the petitioner/A3 in Crl OP No.2285 of 2026 is the money lending partner of A2/Federal Bank. It is alleged that A1 and A2, who have already pledged some gold jewels with A4/Bank through A3, approached the defacto complainant for redeeming the gold jewels and also for re-pledging the same with the defacto complainant and accordingly, the defacto complainant has come forward to pay the money for



redeeming the jewels. After receiving the money, A3 and A4, instead of handing over the gold jewels, for the purpose of enabling the defacto complainant for re-pledging, it has been handed over to A1 and A2 and further A1 and A2 had not re-pledged the same and had taken them away and thereby, cheated the defacto complainant by joining hands with the present petitioners.

3.The learned counsel for the petitioners/A3 and A4 submitted that there was an agreement with A1 and A2 that when once the money is repaid by the owner, it is the duty to return back the gold jewels and there is no separate agreement for handling the gold jewels or any other arrangement to handover the gold jewels to the defacto complainant for the purpose of re-pledging. The A1 and A2 are responsible for the non-pledging of the gold jewels with the defacto complainant, for which, these petitioners could not be held liable. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4.The learned counsel for the Intervenor submitted that there are oral arrangements between A3 and A4 with the defacto complainant to show that when once the money was paid for the purpose of redeeming the gold jewels and for re-pledging, the gold jewels will be transferred through the agents of the defacto complainant and subsequently, it will be re-pledged. However, this has been dispensed with in this matter and petitioners colluded with A1 and A2 and handed over the gold jewels, thereby, the defacto complainant suffered a loss of



Rs.43.95 lakhs. Hence, he opposed for the grant of anticipatory bail to the petitioners.

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5.The learned Government Advocate (Crl.Side) for the respondent reported that so far, no one was arrested in this case and the investigation in this case is pending and hence he opposed for grant of anticipatory bail to the petitioners.

6.Considering the nature of allegations levelled against the petitioners and facts that these petitioners returned with the gold jewels pledged with them to the owners of jewels and they are not having any other arrangements with the defacto complainant to handover the gold jewels when once the jewels were redeemed by A1 and A2, I am of the view that to investigate the case of this nature, as against the petitioners, the custodial interrogation of the petitioners, is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions:

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.1, Tambaram***, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only),



each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 petitioners 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;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

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- 1.The State of Tamilnadu rep.by,
Inspector of Police, T-1, Tambaram
Police Station, West Tambaram,
Chennai-600 045.
- 2.The Judicial Magistrate No.1,
Tambaram.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
gbi

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2285 of 2026**

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