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CRL OP No. 13258 and 12860 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13258 and 12860 of 2026

Crl.O.P.No.13258 of 2026

1. Pooja
2. Divya
3. Heamanth

..Petitioner

Vs

State Represented by The Inspector of Police
Vengal Police Station,
Thiruvallur District.
(Crime No.89 of 2026)

..Respondent(s)

Crl.O.P.No.12860 of 2026

Prakash

..Petitioner

Vs

State Represented by The Inspector of Police
Vengal Police Station,
Thiruvallur District.
(Crime No.89 of 2026)

..Respondent(s)

COMMON PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioners on bail in the event of their arrest in connection with in Crime No.89 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s):

M/S. V.Manimaran



For Respondent(s): Mr.N.Palanivel
Government Advocate (Crl.side)

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COMMON ORDER

The petitioners apprehends arrest for the alleged offence under Sections 318(4), 316(2), 351(2) of BNS, 2023 in Crime No. 89 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that petitioner in Crl.O.P.No. 12860 of 2026 received a sum of Rs.5,52,000/- from the defacto complainant and refused to pay the same. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that A1 received Rs.5,42,000/- from the defacto complainant. He



also submits that 3 previous cases were pending against A1 and no previous case is pending against other accused. However, he opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, it is seen that according to the prosecution, on the pretext of doing special pooja, the petitioner/A1 received a sum of Rs.5,42,000/- from the defacto complainant except this, there are no other allegation against the petitioners. At this juncture, the learned Government Advocate (Crl.Side) submitted that the petitioner is an History-Sheetter and previous cases were also pending against him. In this connection, the learned counsel for the petitioner would invite attention in respect of order passed in WP.No.14871 of 2025 dated 25-04-2025.

7. While perusing the order, it indicates that it is only a direction to the respondent police to consider the petitioner's application to remove his name from the History Sheet list. Therefore, from the submissions made by the learned Government Advocate (Crl.Side), in respect of 3 previous cases, both the Crime Nos. 452 and 455 of 2023 were quashed by this Court in Crl.O.P.Nos.7784 and 7752 of 2024 and other case is of the year 2012. Though



petitioner's prayer to remove his name from the History Sheet list was pending before the respondent police, the fact remains among the three previous cases, two were already quashed by this Court and one is of the year 2012.

8. Hence, considering the totality of the circumstances and that the entire issue pertains to money transaction, this Court is of the firm view that custodial interrogation of the petitioner/A1 in Crl.O.P.No.12860 of 2026 is not required. In respect of petitioners/A3 to A5, they have been arrayed as accused since because they are relatives to A1. Furthermore, 1st and 2nd petitioners in Crl.O.P.No.13258 of 2026/ A3 & A4 were being a women, their custodial interrogation are not required for investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

9. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Tiruvallur** on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand



automatically cancelled;

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(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 identify proofs to ensure their identity;

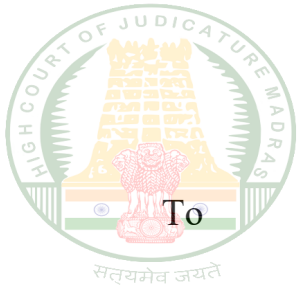
(c) The 1st and 2nd petitioners in Crl.O.P.No.13258 of 2026 shall report before the respondent Police as and when required for interrogation and other petitioners shall report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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



To

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1. The Judicial Magistrate No.I, Tiruvallur
2. The Inspector of Police
Vengal Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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