



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15462 of 2026

1. Fernand Marie Benjamin Ratier
2. Diana Ratier

..Petitioner(s)

Vs

State Represented by
The Station House Officer,
Grand Bazar Police Station,
Puducherry.
Crime No.93 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to grant anticipatory bail to the petitioners in the event of arrest in Crime No.93 of 2026 on the file of the respondent Police.

For Petitioner(s):	M/s.Archna Yadav Mr.N. Manojkumar
For Respondent(s):	Ms.G.Djearany Government Advocate (Puducherry) Mr.Praveen Raj.N for Intervenor

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 316 (2), 318 (4) and 3 (5) of the BNS in Crime No.93 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioners induced the defacto-complainant to invest Rs.1,40,00,000/- in various business ventures,



misappropriated the said amount and thereby cheated the defacto-complainant.

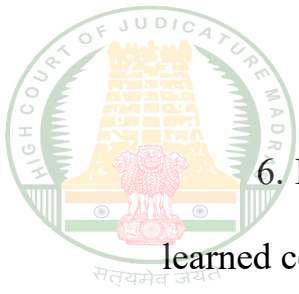
Hence, the case.

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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prayed for grant anticipatory bail to the petitioners.

4. The learned counsel for the intervenor stoutly contended that there are abundant materials showing that the entire amount was misappropriated by the petitioners, which came to light through the audit report. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that A1 and the defacto-complainant were Directors of the company. He further submitted that A2 is the wife of A1. He added that A1 and the defacto-complainant operated three companies, out of which only one is currently functioning, while the other two are non-functional. During the audit, it was discovered that the first petitioner had misappropriated a sum of Rs.1.4 crores. Hence, he opposed the grant of anticipatory bail to the petitioners.



6. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

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7. The point to be considered now is whether the custodial interrogation of the petitioners is required. A perusal of the First Information Report reveals that, the alleged misappropriation took place on 16.12.2025. However, after finalising the audit, the defacto-complainant lodged the complaint on 29.05.2026. Admittedly, the first petitioner and the defacto-complainant shared a business relationship and were doing business jointly. However, it is the case of the defacto-complainant that the petitioners misappropriated funds while conducting this business. In view of these circumstances, and considering that the alleged misappropriation was detected through an audit report, this Court is of the firm view that, at this length of time, the custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. 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 II, Puducherry**, on condition that **the petitioners shall execute a 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 learned Magistrate concerned, and on further conditions:



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(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;

(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;

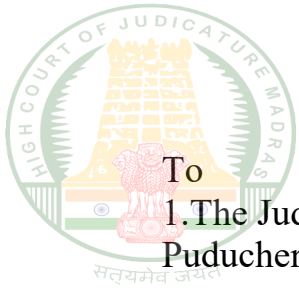
(c) The petitioners shall report before the respondent police daily morning at 10.30 a.m. for a period of two weeks; thereafter as and when required for interrogation;

(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.

02-07-2026
(1/2)

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To

1. The Judicial Magistrate II,
Puducherry.

2. The Station House Officer,
Grand Bazar Police Station,
Puducherry.

3. The Public Prosecutor
High Court of Madras.

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C.KUMARAPPAN, J.

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