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CRL OP No. 15612 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15612 of 2026

Tharunkumar
S/o. Durairaj
No.3058 (4), T.N.H.B, Avadi Camp,
Thiruvallur -600 069.

..Petitioner(s)

Vs

The State Rep. by Inspector of Police
K-5, K5 Peravallur Police Station,
Chennai District.
Crime NO. 108 of 2026

..Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, praying to grant an anticipatory bail to the petitioner in event of his arrest in Crime No.108 of 2026 pending on the file of the respondent police and pass such further or other order it may be deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): M/S. S. Punithavathi

For Respondent(s): Mr.N.Palanivel,
Govt.Advocate (Crl.Side)

For Intervenor : Mr.R.Sai Saurya



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ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 318(4) of BNS, 2023 in Crime No.108 of 2026, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have cheated the *de facto* complainant of a sum of Rs. 2,62,000/- on the false promise of securing admission to Loyola College. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he has already paid a sum of Rs.50,000/- to the *de facto* complainant and he is also ready to pay the remaining amount of Rs.2,12,000/- to the *de facto* complainant. Hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned counsel for the intervener would strongly oppose the grant of anticipatory bail by stating that this is a case of cheating of Rs.2,62,000/-.



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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant of anticipatory bail to the petitioner.

6. I have given my anxious consideration to either side submissions.

7. Considering the above facts and circumstances and that the petitioner is willing to deposit the remaining amount of Rs.2, 12, 000/- to the *de facto* complainant, this Court is of the firm view that, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, **the petitioner is directed to pay the remaining amount of Rs.2,12,000/- (Rupees Two Lakhs and Twelve Thousand Only) to the *de facto* complainant within a period of four (4) weeks from the date of receipt of a copy of this order. On payment of the said amount, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made**



ready, before the **V Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioner shall execute a 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:

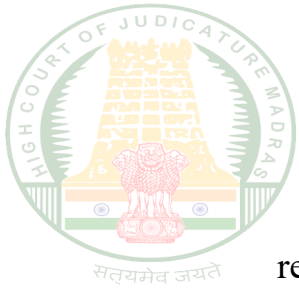
(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(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 petitioner shall report before the respondent Police, daily 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be



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registered under Section 269 of BNS Act.

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9.This Criminal Original Petition is ordered accordingly.

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(2/2)

KMI

To

1.The V Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police
K-5, K5 Peravallur Police Station,
Chennai District.

3.The Public Prosecutor
Madras High Court.



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C.KUMARAPPAN J.

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