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CRL OP No. 16046 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16046 of 2026

Bala Subramanian
S/o.Seethapathi,
No.30, Natarajan street,
Kamala Kannapan nagar,
Near Mubarak store,
Villupuram district.

..Petitioner(s)

Vs

State rep.by
The Inspector of Police,
Grand Bazar Police station,
Puducherry.
Cr.No.83 of 2026.

..Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Cr.No.83 of 2026 on the file of the respondent police on such terms and conditions and as this Honble court.

For Petitioner(s): Mr.Shimiyon Edwin M

For Respondent(s): Mr.G.D.Jearany,
Government Advocate (Puducherry)

For Intervener : M/s.S.Magarani

ORDER

The petitioner apprehends arrest for the alleged offence under Section



409 of IPC, in Crime No.83 of 2026 on the file of the respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that the petitioner dishonestly misappropriated the loan amount entrusted by the complainant Bank by diverting it for personal use instead of the intended purpose, causing a loss of Rs.21,84,157/- which remains unpaid despite repeated demands. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that, though the prosecution alleges misappropriation of the loan amount, the dispute is purely civil in nature arising out of a loan transaction, and the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervener submitted that, considering the gravity of the allegations, the quantum of the amount involved and the conduct of the accused, he is not entitled to the discretionary relief of anticipatory bail. Hence, she prays to dismiss the anticipatory bail application.

5. The learned Government Advocate (Crl.Side) appearing for the reiterated the prosecution case and submitted that initially there was non-



cooperation for investigation on the side of the defacto complainant and ultimately, the charge sheet has been filed. However, she opposed to grant anticipatory bail to the petitioner.

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

7. Considering the above factual position, 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 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 **learned Judicial Magistrate Court No.II, Puducherry**, 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, 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 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 registered under Section 269 of BNS Act.

07-08-2026

DRL

To

- 1.The Judicial Magistrate Court No.II,
Puducherry.
- 2.The Inspector of Police,
Grand Bazar Police station,
Puducherry.
- 3.The Public Prosecutor,
Puducherry.



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C.KUMARAPPAN, J.

DRL

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