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CRL OP No. 18774 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18774 of 2026

Gayathri
No.132A, kasthuribay street,
Kitchipalayam, salem

..Petitioner(s)

Vs

State rep by The Inspector of Police
Govt.Hospital Police Station,
Salem,
Crime No. 09 of 2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, pleaded to enlarge the petitioner in the event of her arrest in Crime No.09 of 2026 on the file of the respondent police pending investigation.

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

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 406, 417 and 468 of IPC in Crime No.09 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that while the petitioner was working as temporary employee in OG ward, in charge of JSY scheme namely Janani Suraksha Yojana Scheme for the purpose of providing mile to the newly



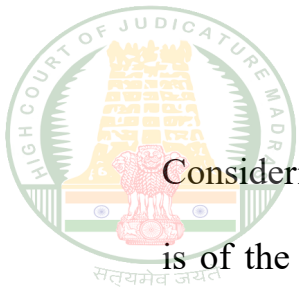
delivered mother in the OG Ward in the government hospital. It is alleged that the petitioner was misappropriated to the tune of Rs.53200/- in the said scheme.

Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the allegation against the petitioner is that she cheated a sum of Rs.53,200/- under the Janani Suraksha Yojana Scheme. He further submitted that the occurrence is of the year 2023 and that the First Information Report came to be registered only on 08.06.2026. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. This Court considered the rival submissions. Though the allegation against the petitioner is that he cheated a sum of Rs.53,200/- under the Janani Suraksha Yojana Scheme, there is no criminal antecedent as against the petitioner. In this regard, the First Information Report came to be registered on 08.06.2026 for the occurrence alleged to have taken place on 14.06.2023.



Considering the factual background of the case and the lapse of time, this Court is of the view that the custodial interrogation of the petitioner is not required.

Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to the following certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-III, Salem** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Five 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 am for a period of two weeks and thereafter as and when required;**

(d) On breach of any of the aforesaid conditions, the



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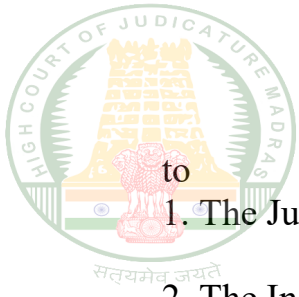


learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji 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.

JRS

16-07-2026



to

1. The Judicial Magistrate III, Salem.

2. The Inspector of Police
Govt.Hospital Police Station,
Salem,
Crime No. 09 of 2026

3.The Public Prosecutor, Madras High Court.



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C.KUMARAPPAN, J.

JRS

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