



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19676 of 2026

1. Umamaheshwaran
Door No 2 23,Murugan Kovil Street,
Ululndurpettai Taluk, Parikkal, Edaiyalam,
Viluppuram.
2. Mahalakshmi
W/o. Umamaheshwaran,
Door No.2/23,Murugan Kovil Street,
Ululndurpettai Taluk, Parikkal, Edaiyalam,
Viluppuram District-607204.
3. Mahendran
S/o. Selvaraj,
Door No.84-Main Road, Parikkal
Ululndurpettai Taluk, Edaiyalam,
Viluppuram District-607204.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
Kalamaruthur Police Station,
Kallakurichi District.
Crime No.169 of 2026.

..Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to grant Anticipatory Bail to the Petitioners/A1,A2 and A3 in the event of their arrest in Cr.No.169 of 2026 dt.11.07.2026 pending on the file of the Respondent Police and thus render justice.

For Petitioner(s):	Mr.Krishnasamy Chinnasamy
For Respondent(s):	MS.R.S.INDIRA, GOVT.ADVOCATE (CRL.SIDE)

For Intervener :	Mr.K.Vijayaragavan
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ORDER

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The petitioners apprehend arrest for the alleged offences under Sections 406 and 420 of IPC, 1860 in Crime No.169 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant had parted with a sum of Rs. 23 lakhs to the first accused to lay roads and pipelines, on the promise of the first accused that he would return the amount after receiving the bill clearance from the Government. Thereafter, the money was not returned, and the first accused along with other persons thereby cheated the de facto complainant. Hence, the case was registered

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that the first petitioner is the Village Panchayat Secretary and the second petitioner is the wife of the first petitioner and the third petitioner is the villager. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that the petitioners had cheated the de facto complainant to the tune of Rs. 23 lakhs. He further



submitted that, if the petitioners are enlarged on bail, it would be very difficult for the defacto complainant to get back the money. Hence, he prayed for the dismissal of the anticipatory bail petition.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that there are totally four accused in this case and the petitioners are arrayed as A1, A2 and A4 and that the petitioners have no criminal antecedents. However, she opposed to grant anticipatory bail to the petitioners.

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

7. Considering the facts and circumstances of the case and looking at the factual position, the entire transaction appears to be money transaction and that the petitioners have no criminal antecedents. Therefore, this Court is of a firm view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail 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 No.II, Ulundurpettai**, 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;

(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, 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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DRL

To

1.The Judicial Magistrate No.II,
Ulundurpettai.

2.The Inspector of Police
Kalamaruthur Police Station,
Kallakurichi District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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