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CRL OP No. 22753 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 22753 of 2026

1. Devi
W/o. Babu,
No.316/2, New No.2/117, Rajive Gandhi Nagar,
Dr.Ambedkar Nagar,
Puduppattinam, Kalpakkam Via,
Chengalpattu District.
2. Babu
S/o. Durairaj,
No.316/2, New No.2/117, Rajive Gandhi Nagar,
Dr.Ambedkar Nagar,
Puduppattinam, Kalpakkam Via,
Chengalpattu District.
3. Saranya
W/o. Venkatesan,
Door No.4 and 5, Sri Lakshmi Nagar,
Vinayagapuram, Kolathur,
Chennai-99.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
Kalpakkam Police Station,
Chengalpattu District.
Crime No.66 of 2024.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on anticipatory bail in the event of apprehending arrest in Crime No.66 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr. Venkatesan Athi



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For Respondent(s):

Mr.R.Rajasekaran,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 296(b), 420, 406, 506(1) of IPC, in Crime No.66 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against these petitioners is that the petitioners had received a sum of Rs.3,50,000/- from the defacto complainant to lease their house on which they borrowed a loan from the Finance Company. Later, for non-payment of Housing loan, the said Finance Company had vacated the defacto complainant from the house. On repeated demands made by the defacto complainant, the petitioners refused to repay the amount received from her and further abused her in filthy language and threatened her with dire consequences, on the basis of which the present case came to be registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution. He further submitted that a sum of Rs.2,00,000/- has been repaid to



the defacto complainant. He further submitted that the petitioners are ready to abide by any stringent conditions imposed by this court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, submitted that the petitioners after obtaining housing loan from the Finance Company, had lent their house to the defacto complainant on lease agreement on receipt of Rs.3.5 lakhs from her, out of which, only Rs.2 lakhs has been repaid to her. Hence, he opposed the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the fact that a Rs.2 lakhs has been repaid to the defacto complainant, and the petitioners are ready to pay the balance amount, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned District Munsif cum Judicial Magistrate, Thirukkazhukundram***, on condition that the



petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only) each**, with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

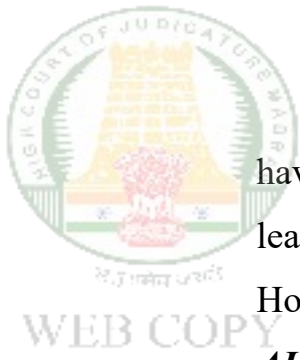
(b)The petitioners are directed to produce the receipt/acknowledgement before the learned *District Munsif cum Judicial Magistrate, Thirukkazhukundram, to prove the repayment of 3.5 lakhs to the defacto complainant.*

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

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions



have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12-08-2026

GV

To

1. The District Munsif cum Judicial Magistrate, Thirukkazhukundram,
2. The Inspector of Police,
Kalpakkam Police Station,
Chengalpattu District.
3. The Public Prosecutor
High Court, Madras.



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N.RAMESH, J.

GV

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