



CRL OP(MD) NO. 9659 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07-07-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP(MD) NO. 9659 of 2025

C.R.Selvan

Petitioner(s)

Vs

1.State of Tamil Nadu Rep. by,
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No 187 of 2025)

2.Michael Savarimuthu

3.Godwin Lijo

Respondent(s)

For Petitioner(s):

Mr.R.Murugappan

For Respondent(s):

Mr.J.Vishnu

Government Advocate (Crl. Side) for R-1

No appearance for R-2 and R-3

Prayer:

To cancel the Anticipatory bail in Crl.M.P.No.14 of 2025 dated 22.05.2025 on the file of the Court of Vacation Sessions Judge, Kanyakumari District at Nagercoil.

ORDER

The defacto complainant in Crime No.187 of 2025 has come forward with the present petition to annul the order of anticipatory bail granted to the



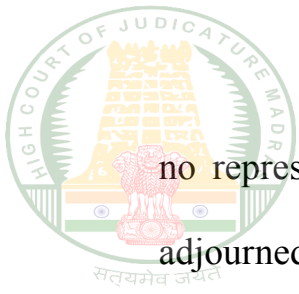
respondents 2 and 3 by the learned Vacation Sessions Judge, Kanyakumari District at Nagercoil in Crl.M.P.No.14 of 2025 dated 22.05.2025.

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2. The learned counsel for the petitioner would submit that originally, the respondents 2 and 3 have approached this Court for anticipatory bail in Crl.O.P. (MD).No.7417 of 2025 and after advancing certain arguments, subsequently, they withdrew the petition on 29.04.2025 and by suppressing the same, the respondents 2 and 3 have moved the Vacation Sessions Court and obtained an order of anticipatory bail. He further submitted that it is a case of job racketing and the accused have collected a sum of Rs.63,00,000/- from 30 individuals and these facts have also not been properly appreciated by the learned Sessions Judge while granting anticipatory bail.

3. The learned counsel further submitted that the respondents 2 and 3 are very well aware that they have suppressed the fact of filing the bail application before this Court and also by submitting false facts before the Vacation Court, they obtained anticipatory bail without any proper conditions to deposit any of the cheated amount. Though the investigation is pending, the Sessions Court had granted bail without considering the gravity and nature of the offences. Hence, he prays to cancel the anticipatory bail.

4. This Court after entertaining the present petition, ordered notice to the respondents 2 and 3 and accordingly, they have also engaged a counsel. However, when the matter was taken up for hearing on 12.06.2026, there was



no representation for the respondents 2 and 3 and thereafter, the matter was adjourned. Even today, there is no representation for the respondents 2 and 3.

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5. I have carefully considered the submissions made by the petitioner and also perused the order passed by the Sessions Court.

6. A specific averment is made to the effect that the second respondent has promised to arrange job abroad and accordingly, collected 61.91 lakhs from 34 individuals. Apart from that, it is alleged that the second respondent/A1 has also demanded Rs.1,25,000/- from the defacto complainant and it was paid to A2, A4 and A5. It is also stated that the first accused had also handed over the Visa, which is a forged one. Hence, a case was registered.

7. The Sessions Judge, after observing that the Court has to strike a balance between individuals' right to personal freedom and the investigational rights of the Police and for such purpose, granting of anticipatory bail is necessary and accordingly, granted bail to the respondents 2 and 3. The Sessions Court has not considered the merits of the case, more particularly, the allegations of receipt of the money to the extent of Rs.61.91 lakhs from 34 individuals under the promise of arranging the job abroad and subsequently, cheating them. Without analysing the factual aspect, the question of balancing the personal freedom with the investigational right of the police is unnecessary. When the facts of the case clearly reveals that 34 individuals have been cheated and it requires a proper analysis whether these allegations require investigation



through custodial interrogation or not. Apart from that, it is a case of cheating huge amounts and recovery of money and the identification of the property is very much necessary. There is also allegation of submission of forged Visa. All these matters require thorough investigation and without taking custody of the respondents 2 and 3, investigation could not be done properly.

8. In such circumstances, I am of the view that the reasoning given by the Sessions Court without considering the gravity and nature of the offences and other necessity for custodial interrogation etc., is unsustainable and the order passed by the Vacation Sessions Court, Kanniyakumari District at Nagercoil in Crl.M.P.No.14 of 2025 dated 22.05.2025 is set aside.

9. Accordingly, this Criminal Original Petition is allowed. The bail bond executed by the respondents 2 and 3 hereby cancelled.

07-07-2026

Lm

To

1.The Vacation Sessions Judge,
Kanyakumari District.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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K.RAJASEKAR, J.

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Crl.O.P.(MD).No.9659 of 2025

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