



CRL OP(MD). No.12495 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 29/06/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.12495 of 2026

Sundara Bai

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
District Crime Branch Police Station,
Nagercoil, Kanyakumari District.
Crime No.3/2026.

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Crime No.3/2026 on the file of the
Respondent Police.

For Petitioner : M Dhinesh Kumar,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel For State of TN (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under



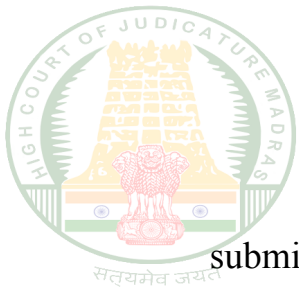
CRL OP(MD). No.12495 of 2026

Sections 61(2) and 318(4) of BNS Act, 2023, in Crime No.3 of 2026, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the accused approached the defacto complainant and induced her to invest money in order to get huge amount of returns. Believing their words, the defacto complainant send a sum of Rs.1,30,00,000/- through her bank accounts to the accused. Thereafter, they did not give any money as profit or principal. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and she has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. He further submitted that the petitioner was misused by the other accused, and she is aged about 68 years, and she has not benefitted from any of the transactions and the co-accused (A1, A2 & A4) were already granted bail in Crl.OP(MD)No.10547 of 2026 vide order dated 10.06.2026. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Counsel For State of TN (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions,



CRL OP(MD). No.12495 of 2026

submitted that the petitioner is ranked as A5 and the investigation is at preliminary stage. He would further submit that though a huge amount has been transferred to the account of the accused, insofar as the petitioner is concerned, a sum of Rs 8 lakhs has been transferred to her account. The petitioner's previous bank statement substantiates the same. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have gone through the FIR and also the connected materials.

6. Considering the facts and circumstances of the case and also considering the facts that this Court already granted bail to the co-accused in Crl.OP(MD)No.10547 of 2026 vide order dated 10.06.2026 and since the petitioner is a lady and also aged about 68 years, the custodial interrogation of the petitioner is not required in this case, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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)



CRL OP(MD). No.12495 of 2026

days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II at Kuzhithurai**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioner fails to surrender before the concerned 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 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



WEB COPY



CRL OP(MD). No.12495 of 2026

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.

29.06.2026

dss

To

- 1.The Judicial Magistrate No.II at Kuzhithurai.
- 2.The Inspector of Police,
District Crime Branch Police Station,
Nagercoil, Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.12495 of 2026

K. RAJASEKAR,J

DSS

ORDER
IN
CRL OP(MD) No.12495 of 2026

Date : 29/06/2026