



CRL OP(MD). No.14418 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

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R.Karthikeyan

... Petitioner / Sole Accused

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Cantonment Police Station,
Trichy City.
(Crime No.163 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner on bail in the event of arrest in Crime No.163 of 2026 on the file of the respondent police, or on his appearance.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.J.Vishnu,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

WEB COPY The petitioner, who apprehends arrest in connection with Crime No.163 of 2026 on the file of the respondent police, registered for the offences punishable under Sections 331(4) and 305 of the Bharatiya Nyaya Sanhita, 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, claiming to be managing the shop belonging to his deceased brother, allegedly removed goods worth about Rs.10,00,000/- from the shop without the knowledge or consent of the defacto complainant. On the basis of the complaint lodged by the defacto complainant, the present case came to be registered. Apprehending arrest, the petitioner has approached this Court seeking anticipatory bail.

3. The learned counsel for the petitioner submitted that the petitioner's brother was originally running the shop and, after his demise, the petitioner had been managing the business. It was further submitted that, during the petitioner's absence, the defacto complainant had unlawfully removed the goods from the shop. In support of the said



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contention, the learned counsel relied upon various complaints and proceedings initiated between the parties with regard to the property dispute. Hence, he prayed for the grant of anticipatory bail.

4. *Per contra*, the learned Counsel for State (Criminal Side) reiterated the prosecution case and submitted that the investigation has revealed that the shop was in the possession and enjoyment of the defacto complainant and not the petitioner. It was further submitted that, though the petitioner's brother and the defacto complainant were jointly carrying on the business, after the death of the petitioner's brother, the defacto complainant alone had been managing the business. Taking advantage of the civil dispute between the parties, the petitioner is alleged to have removed goods worth about Rs.10,00,000/-. The learned Counsel for State further submitted that the stolen properties have not yet been recovered and that the investigation is still in progress. It was also submitted that the petitioner's presence near the place of occurrence has been corroborated by the Call Detail Records. Hence, he opposed the grant of anticipatory bail.



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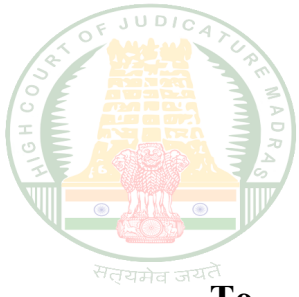
5. This Court has carefully considered the rival submissions and perused the materials available on record.

6. A complaint lodged in January, 2024 by the petitioner's sister-in-law, namely Amudha, categorically states that her husband and the defacto complainant were jointly running the business and that, after her husband's demise in July, 2021, the defacto complainant had been continuing the business in the said premises. The said complaint also discloses that disputes had arisen between the parties regarding the ownership and possession of the shop. *Prima facie*, these materials indicate that the defacto complainant was in possession of the business premises at the relevant point of time. Considering the nature of the allegations, the value of the properties alleged to have been removed, the fact that the properties are yet to be recovered, and that the investigation is still in progress, this Court is of the view that custodial interrogation of the petitioner is necessary for a fair and effective investigation. Accordingly, this Court is not inclined to grant the relief of anticipatory bail. Hence, this Criminal Original Petition stands dismissed.

21.07.2026

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To
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- 1.The Inspector of Police,
Cantonment Police Station,
Trichy City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. RAJASEKAR,J.

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ORDER
IN
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