



CRL OP(MD). No. 17575 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 22.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Karthikeyan  
2.Jeyanthi  
3.Saroja ...Petitioners/A1 to A3

Vs

1.State of Tamil Nadu rep. by  
The Inspector of Police,  
District Crime Branch,  
Madurai District.  
(Crime No.34 of 2025)

2.The Tahsildar,  
Nilakottai. ...Respondents  
(R2 is suo motu impleaded as per order of this  
Court dated 19.01.2026 in Cr1.O.P.(MD).No.17575  
of 2025)

For Petitioners:Mr.A.Arul Jenifer  
Advocate.

For Respondent :Mr.M.Karunanithi  
Government Advocate (Cr1. Side)

For Intervener :Mr.K.R.Laxman

PETITION FOR ANTICIPATORY BAIL Under Sec.482  
of BNSS



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PRAYER :- For Anticipatory Bail in Cr.No.34 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 316(2), 318(4) and 61(2) of BNS, 2023, in Crime No.34 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the brother's son of the defacto complainant, the second petitioner is the wife of the first petitioner and the third petitioner is the wife of the first petitioner's brother. The defacto complainant is a retired Government employee of fire department and his wife is also a retired Government employee of the Health Centre and they have had no children for 32 years. After the retirement of the defacto

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complainant and his wife, both the retirement benefit of Rs.15 lakhs and Rs.41 lakhs were deposited in their savings account in the bank of India, Vadipatti Branch and 82 sovereigns of gold jewels were kept in the bank locker. The defacto complainant and his wife were diagnosed with a health issue, for the same, they were under treatment wherein, due to the above said health issue, the defacto complainant was unable to move on his own and the doctor also instructed the defacto complainant to accompany any person with him during treatment. Thereafter, the first petitioner and his wife consoled them that they will take good care of both defacto complainant and his wife and thereby, the defacto complainant and his wife fell for the warm words of the petitioners. The first petitioner repeatedly visited the defacto complainant and his wife and also accompanied them to the hospital for their treatments. Due to the ill health of the defacto



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complainant and age factors, the defacto complainant entrusted his ATM card to the first petitioner to incur an expense for their medical treatment. But, the petitioners conspired together and misappropriated a sum of Rs. 50,12,290/- from the defacto complainant's account and 82 sovereigns of jewels. When the same came to know to the defacto complainant, the defacto complainant demanded the return of the money and jewels. However, the petitioners refused to return them. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the brother's son of the defacto complainant. He would further submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the petitioners



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assisted the defacto complainant and his wife with love and care. He would further submit that since the first petitioner sought partition of his ancestor property from the defacto complainant, a false case has been foisted against them. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned counsel appearing for the intervener would submit that the first petitioner visited the defacto complainant and his wife and also accompanied them to the hospital for their treatments. Due to the ill health of the defacto complainant and age factors, the defacto complainant entrusted his ATM card to the first petitioner to incur an expense for their medical treatment. But, the petitioners conspired together and misappropriated a sum of Rs.50,12,290/- from the defacto complainant's account and 82 sovereigns of jewels. When the



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same came to know to the defacto complainant, the defacto complainant demanded the return of the money and jewels. The petitioners refused to return them. Hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the investigation is pending and the offences are grave in nature. He fairly submits that the petitioner has no previous cases. However, he opposes to grant anticipatory bail to the petitioners.

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

7. Considering the rival submissions on either side and nature of offence and considering the fact that there was a money dispute between the



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parties and as the date of FIR is 25.09.2025, by this time material part of the investigation might have been completed and the petitioners appeared before the respondent Police for enquiry and no previous case is pending against the petitioners and hence, the interim anticipatory bail granted by this Court to the petitioners is made absolute, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Madurai, and on further conditions that:



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**[b] the petitioners shall report  
before the respondent Police daily at  
10.30 a.m., until further orders.**

[c] the petitioners shall not commit  
any offences of similar nature.

[d] the petitioners shall not abscond  
either during investigation or trial.

[e] the petitioners shall not tamper  
with evidence or witness either during  
investigation or trial.

[f] On breach of any of the aforesaid  
conditions, the learned Judicial  
Magistrate/Trial Court is entitled to  
take appropriate action against the  
petitioners in accordance with law as if  
the conditions have been imposed and the  
petitioners released on bail by the



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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].

[g] If the accused thereafter  
absconds, a fresh FIR can be registered  
under Section 269 B.N.S.

(P D B J)

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To

- 1.The learned Judicial Magistrate No.1,  
Madurai.
- 2.The Inspector of Police,  
District Crime Branch,  
Madurai District.  
(Crime No.34 of 2025)
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**P. DHANABAL, J.,**

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ORDER  
IN  
CRL OP (MD) No. 17575 of 2025

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