



CRL OP(MD). No.20283 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.20283 of 2025

Manikandan

... Petitioner/
proposed accused

Versus

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Karimedu Police Station,
Madurai District.
(In Crime No.531 of 2025)

... 1st Respondent / Complainant

2. Latha

... 2nd Respondent

(Amended as per order of this Court dated
25.11.2025 in Crl.M.P(MD) No.18390 of
2025 in Crl.O.P(MD) No.20283 of 2025)

(R2 is suo motu impleaded by this Court,
vide this order, dated 25.11.2025, made in
Crl O.P(MD) No.20283 of 2025)

PRAYER :-Criminal Original Petition filed under Section 482 of the
BNSS, 2023, to grant anticipatory bail to the petitioner in the event of his
arrest in Crime No.531 of 2025 based on the false complaint given by the
defacto complainant Ashwin before the respondent police.



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For Petitioner : Mr.S.Vignesh
For Respondents : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side) – for R1
For Intervenor : Mr.M.Mohamed Sherbudeen

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police in Crime No.531 of 2025 for the offences punishable under Sections 316(2) and 296(b) of BNS, seeks anticipatory bail.

2. According to the prosecution, the petitioner obtained the jewels from the son of the de facto complainant and subsequently pledged the same, utilizing the proceeds thereof. Thereafter, the petitioner failed to return the jewels. It is further alleged that the petitioner later redeemed the pledged jewels without the knowledge of the de facto complainant and still failed to return them. Hence, the present case has been registered against the petitioner.



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3. The learned counsel for the petitioner submitted that a partnership dispute exists between the parties. He further submitted that the petitioner's car was wrongfully taken by the de facto complainant, in respect of which the petitioner has already lodged a complaint, and the same is presently pending enquiry before the jurisdictional police. This Court has also directed the jurisdictional police to look into the complaint made by the petitioner. The learned counsel further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner after redeeming the jewels without knowledge of the defacto complainant, he failed to return the jewels. However, he opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the intervenor would submit that the petitioner had obtained jewels from the defacto complainant's son and thereafter, he refused to return the jewels. Hence he strongly opposed the



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grant of anticipatory bail to the petitioner.

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6. This Court, upon considering the rival submissions made by the learned counsel on either side, is inclined to grant anticipatory bail to the petitioner on the following grounds:

(i) It is admitted that there exists a business dispute between the parties. Even as per the averments, the jewels were handed over to the petitioner on prior acquaintance with the de facto complainant. Further, the complaint lodged by the petitioner against the de facto complainant, relating to the said business dispute, is pending enquiry.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a



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copy of this order, before the Judicial Magistrate No.V, Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and 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 petitioner shall appear and sign before the respondent police daily at 10.30 a.m. for a period of 15 days and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the



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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 petitioner 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

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

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To

1. The Inspector of Police,
Karimedu Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Judicial Magistrate No.V,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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