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CRL O.P. No.10081 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.10081 of 2025

1. Selvi W/o. Venkatesan
2. Priya D/o. Venkatesan ... Petitioners / Accused

Vs

State rep. by:-

The Inspector of Police,
District Crime Branch,
Chengalpattu District. ... Respondent
[Cr. No.1 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in
Cr. No.1 of 2025 on the file of the respondent police.

For Petitioner : Mr.C. Arivazhagan

For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER



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The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 403, 405, 409, 420, 467, 468 and 471 of IPC in connection with the case in Cr. No.1 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that A1 was working as an Accountant in the defacto complainant's company; that he had misappropriated a sum of Rs.3 crores by transferring amounts from the company's account to his account in a span of four years, before he resigned from the company; that A1 had purchased some properties in the name of his wife and transferred some funds to her account and thus, committed the aforesaid offences.

3. The learned counsel for the petitioners would contend that the allegations against the petitioners are false; that the petitioners have nothing to do with the alleged offences; that 1st petitioner is the mother-in-law of A1 and the 2nd petitioner is the daughter of the 1st petitioner; that the co-accused were granted anticipatory bail; and that in any case,



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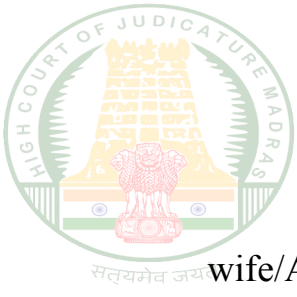
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custodial interrogation is not required and hence prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions, submitted that the 2nd petitioner is not an accused in this case. He further submitted that the similarly placed co-accused were granted anticipatory bail.

5. Recording the submission of the learned Government Advocate (Criminal side), as far as the 2nd petitioner is concerned, the Criminal Original Petition is dismissed as 'infructuous'.

6. According to the prosecution, A1, as an Accountant in the defacto complainant's company, had misappropriated a sum of Rs.3 crores by transferring amounts from the company's account to his account and he had purchased some properties in the name of his



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wife/A2 and transferred some funds to her account. A2 was already granted anticipatory bail by this Court. The 1st petitioner herein the mother-in-law of A1. Therefore, this Court is of the view that the custodial interrogation of the 1st petitioner is not required for the purpose of investigation. Considering the aforesaid facts and nature of allegations, this Court is inclined to grant anticipatory bail to the 1st petitioner on certain conditions.

7. Accordingly, the 1st petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Chengalpattu** 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 the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:



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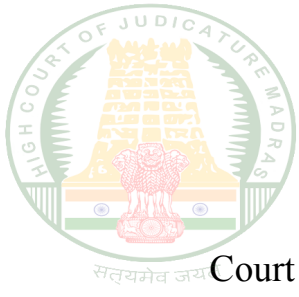
[a] the 1st petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the 1st petitioner shall report before the respondent police as and when required for interrogation;

[c] the 1st petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the 1st petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 1st petitioner in accordance with law as if the conditions have been imposed and the 1st petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

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

04.04.2025

mjs

To

- 1.The Judicial Magistrate No.II, Chengalpattu.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, District Crime Branch, Chengalpattu District.

SUNDER MOHAN. J.,

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