



Crl.O.P.No.12492 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.12492 of 2025

1.Umarani
2.Vigneshwaran
3.Rithishkanna

... Petitioners

Vs.

The State rep.by
The Inspector of Police,
Avadi- CCB Police Station,
Avadi City,
Tiruvallur District.
(Crime No.11 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of
arrest in connection with Crime No.11 of 2024 pending investigation on the file
of the respondent Police.

For Petitioners : Mr.S.Sarvagan Prabhu
For Intervenor : Mr.R.C.Paul Kanagaraj
For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **406 & 420 of IPC**, in **Crime No.11 of 2024**, on the file of the respondent Police, seek anticipatory bail.

2. A case has been registered against the petitioners alleging that they have cheated the defacto complainant to the tune of Rs.2,25,00,000/-.

3. The learned counsel appearing for the petitioners submitted that it is purely a civil transaction and criminal colour been given for the civil transactions. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. On the contrary, the learned counsel appearing for the defacto complainant states that Rs.2,25,00,000/- was received by the husband of the 1st petitioner and the 1st petitioner promising to repay it as and when demanded and that money was infact paid to the 1st petitioner and her husband with a specific understanding that they will arrange for sale of 40% share in M/s.Subburam & Co. However, after the demise of her husband, the first petitioner is retracting the promise.



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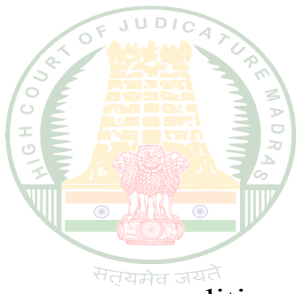
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5. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioners, reiterated the prosecution case.

6. Heard the learned counsels and perused the materials available on record.

7. On perusing the receipt issued by the 1st petitioner and her husband as well as the rival contentions of the counsel, this Court is of the view that if at all any criminal liability to be fixed, it would be against the 1st petitioner, who is a signatory to the receipt. Hence, the **anticipatory bail petition is dismissed as far as the 1st petitioner/Umarani is concerned. It is open to the respondent police to proceed in accordance with law.** Regarding the 2nd and 3rd petitioners, anticipatory bail granted on conditions;

7. Accordingly, the 2nd and 3rd petitioners ordered to be released on bail in the event of arrest or on their appearance, **on or before 04.09.2025**, before the learned **Judicial Magistrate No.I, Poonthamallee, Thiruvallur District**, on



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condition that the 2nd and 3rd petitioners shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties** each for a sum of **Rs.25,000/-(Rupees Twenty Five Thousand)** to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the 2nd and 3rd petitioners fail to surrender before the concerned Magistrate on or before 04.09.2025, 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 the identity proofs to ensure their identity;

[c] the 2nd and 3rd petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;



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

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(½)

dna

To

1.The Judicial Magistrate No.I, Poonthamallee,
Thiruvallur District.

2.The Inspector of Police,
Avadi- CCB Police Station,
Avadi City,
Tiruvallur District.
(Crime No.11 of 2024)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
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