



Crl.O.P.No.15501 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15501 of 2025

1.Jenifer
2.Imanuvel
3.Andrews

... Petitioners

Vs

The State Rep.by,
Inspector of Police,
R-1 Mambalam Police Station, Chennai.
[Crime No.73/2025]

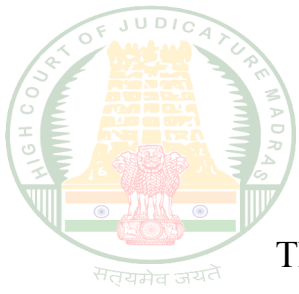
... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on bail in
the event of his arrest in Crime No.73 of 2025 on the file of the respondent
Police.

For Petitioners : Mr.R.Vinoth

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side)

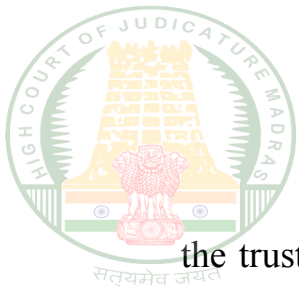
ORDER



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The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 316(2) & 318(2) of BNS in Crime No.73 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the 1st & 3rd petitioners' father was running a trust for the benefit of disabled persons. Only Janaki had informed the defacto complainant that a propagating meeting was to be held in a marriage hall, and in the meeting, the defacto complainant and others participated and paid some money, anticipating some benefits from the trust. But only the registration fees had been collected and no benefits have been given by the trust. He further submitted that the 1st & 3rd petitioners are college going students and they have been falsely implicated in this case. The 2nd petitioner is the father of the petitioners 1 & 3 and he was also falsely implicated. What is the trust run by other accused and what are the schemes introduced are not known to the petitioners. On enquiry, the learned counsel submitted that though initially some persons had shown interest and paid initial amount, thereafter failed to continue to make payments, hence they were not eligible for the trust benefits. Suppressing the same, they had lodged the complaint. As far as the trust is concerned, so far,



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the trust had paid around Rs.17 lakhs to be beneficiaries. Hence, he prayed for anticipatory bail to the petitioners.

3.The learned Government Advocate (Crl. Side) appearing for the respondent Police strongly opposed the petitioners' contention stating that the petitioners along with A1 & A3 who all belong to one family, conducted several meetings in the marriage hall and other public halls canvassing the public by introducing schemes run by the trust. The schemes are such that if a beneficiary paid Rs.100/- daily for a specified period, he would get Rs.1000/- per month as returns. If paid Rs.5,000/-, the beneficiary would get around Rs.1,80,000/-. Projecting these schemes, registration fees of Rs.20,000/- had been collected. So far, the trust had collected around Rs.50 lakhs but failed to repay any amount to the beneficiaries. In this case, A1 and A3 had filed anticipatory bail in Crl.O.P.No.15759 of 2025 and the same was dismissed on 01.04.2025. Hence, strongly opposed for grant of anticipatory bail.

4.At this stage, learned counsel for the petitioners submitted that the 1st & 3rd petitioners are college going students and the 2nd petitioner is their father. Without prejudice to their rights and contentions, the petitioners are



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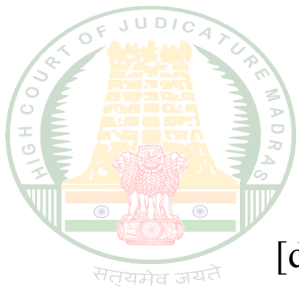
ready to deposit Rs.5,00,000/- (Rupees five lakh only) each to the credit of Crime No.73 of 2025.

5.In view of the above, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned XVII Metropolitan Magistrate, Saidapet on condition that the petitioners shall 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation. The petitioners shall pay a sum of Rs.5,00,000/- (Rupees five lakh only) each to the credit of Crime No.73 of 2025 on the file of respondent Police. The same shall be deposited in any interest bearing account.



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[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] the petitioners shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned 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 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];

M.NIRMAL KUMAR, J.

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[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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WEB COPY
To

- 1.The XVII Metropolitan Magistrate,
Saidapet.
- 2.The Inspector of Police,
R-1 Mambalam Police Station,
Chennai.
- 3.The Public Prosecutor,
Madras High Court.

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