



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.17273 of 2025

and

Crl.M.P.No.14151 of 2025

Divya Dharshini

... Petitioner

Vs.

The Inspector of Police,
Melmaruvathur Police Station
Chengalpattu District.
(Cr.No.Unknown of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Cr.No.Unknown of 2025 on the file of the respondent police.

For Petitioner : Mr.C.S.Jeeva Kuralamuthu
For Intervenor : Mr.D.Padmanabhan.
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl. Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 316 & 318(4) of BNSS Act in Crime No. Unknown of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. It appears that the petitioner had borrowed a sum of Rs.7 lakhs and failed to repay it. Hence, the complaint was lodged by the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant were classmates and friends, the petitioner received Rs.7,00,000/- and repaid Rs.3,12,000/-. He would further submit that the dispute is civil in nature, and in any case, custodial interrogation of the petitioner is not required and sought anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police, reiterated the prosecution case and there is no previous case pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides including counsel for Intervenor Petitioner and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the petitioner is being a lady and also that the petitioner is having no previous



case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate II, Mathuranthagam** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, 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 petitioner shall report before the respondent Police daily at 10.30 am for a period of two weeks and thereafter, as and when required for



interrogation;

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

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

8. Consequently, connected miscellaneous petition is closed.

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To

1. The Judicial Magistrate No – II, Mathuranthagam.
2. The Inspector of Police,
Melmaruvathur Police Station
Chengalpattu District.

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3. The Public Prosecutor,
High Court of Madras.

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