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CRL OP No. 18445 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18445 of 2025

AND

CRL OP NO. 18444 OF 2025

Joseph Agustin Kamalesh
Arokiasamy

Petitioner(s) in CRL OP NO. 18444 OF
2025

CRL OP No. 18444 of 2025

Cyrila Joseph Agustin Kamalesh

Petitioner(s) in Crl.O.P.No.18444 of
2025

Vs

The State, Represented by Inspector of
Police, Karamadi Police Station,
Coimbatore District.

Respondent(s) in both Crl.O.Ps'

COMMON PRAYER

These Criminal Original Petitions are filed under Section 482 of BNSS Act 2023, to grant an Anticipatory Bail to the Petitioners in the event of their arrest in connection with Crime No.272 of 2025 pending investigation on the file of the Respondent Police.

In CRL OP No. 18445 of 2025

For Petitioner(s): M/s. S.Yogalakshmi



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In CRL OP No. 18444 of 2025

For Petitioner(s): M/s. Venkatesh

In both CrI.O.Ps

For Respondent(s): M/s. Leonard Arul Joseph
Selvam GA (crl. Side)

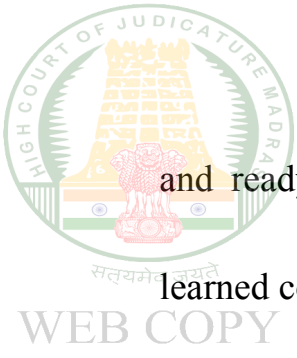
COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 468 of IPC in Crime No.272 of 2025 , on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners, a husband and wife duo, allegedly promised the defacto complainant to secure a central government job in exchange for Rs.12,00,000/-. However, they failed to secure the job and return the amount, leading to filing of the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

Petitioners are ready to abide any conditions that may be imposed by this Court



and ready to furnish sufficient solvent sureties for their release. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides, the nature of allegations and since, custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

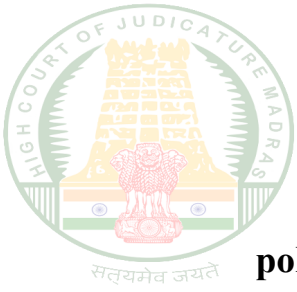


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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court, Mettupalayam** on condition that of the petitioners 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fails 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 identify proofs to ensure their identity;



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[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;

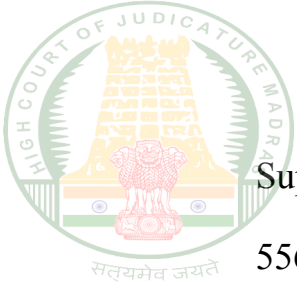
[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make himself available for interrogation by a Police office 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, he 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 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];

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

09-07-2025

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To

1.The Inspector of Police,
Karamadai Police Station, Coimbatore
District.

2. The Judicial Magistrate Court,
Mettupalayam.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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