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CRL OP No. 20074 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 20074 of 2025

1. Vignesh
2. Cynthiya
3. Sangeetha

Petitioner(s)

Vs

The State Rep. by the Deputy Superintendent of Police,
DCB -Thiruvallur, Thiruvallur District.
(Crime No. 01 of 2025)

Respondent(s)

PRAYER The Criminal Original Petition is filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest in Crime No. 1 of 2025, (on the file of the respondent).

For Petitioner(s): Mr.R.C.Paul Kanagaraj

For Intervenor: Mr.M.D.Ilayaraja

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Section 406, 420 and 506(i) of IPC, in Crime No.01 of 2025, seek anticipatory bail.



2. The prosecution of the prosecution is that in the year 2024, the petitioners approached the defacto complainant and induced her to invest in a share market business, promising huge profits. Accordingly, the defacto complainant obtained a loan and handed over a sum of Rs.62 lakhs. The 1st petitioner repaid Rs.3 lakhs, but thereafter, they failed to return any money, cheating the defacto complainant. She immediately lodged a complaint against the petitioners with the DCB, Thiruvallur, Thiruvallur District. The case was closed, but later reopened by order of this Court for further investigation. Apprehending arrest, this petition has been filed.

3. The learned counsel for the petitioners submitted that the 1st accused has been arrested and the 2nd and 3rd petitioners are the relatives of the 1st petitioner are falsely implicated in this case and they had no involvement in the alleged business transactions, which were solely handled by the first accused. Hence, he prayed for anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor submitted that all the three accused have voluntarily approached the defacto complainant, collected a sum of Rs.62 lakhs and subsequently not returned the money or paid profit in the



business and thereby they have cheated. The learned counsel further contended that if the petitioners are granted anticipatory bail, they would involve in further offences, hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.side) for the respondent police reported that totally three accused in this case. The 1st petitioner already arrested and the 2nd and 3rd petitioners are absconding and he further submitted that all the three accused have received the amount and the investigation in this case earlier conducted and closed and subsequently this Court has directed further investigation and accordingly further investigation is going on.

6. Considering the fact that 2nd and 3rd petitioners are ladies and the main accused who was arrested, is in judicial custody and the majority of the allegations levelled in the FIR is only incriminating the 1st petitioner/A1 herein, I am of the view that the custodial interrogation of the 2nd and 3rd petitioners is not necessary and hence I am inclined to grant anticipatory bail to the 2nd and 3rd



petitioners subject to certain conditions.

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7. Accordingly, the 2nd and 3rd petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.I, Thiruvallur*** on condition that the 2nd and 3rd petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty 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 learned Magistrate concerned and on further condition that:

(a) 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 2nd and 3rd petitioners shall report before the respondent police daily at 10.30 am, for a period of three weeks and thereafter as and when required for interrogation;

(c) the 2nd and 3rd petitioners shall not tamper with evidence



or witness either during investigation or trial;

(d) the 2nd and 3rd petitioners 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 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd and 3rd 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

8 This Criminal Original Petition is dismissed in respect of the 1st petitioner/A1.

17-10-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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- 1.The Deputy Superintendent of
Police,
DCB -Thiruvallur, Thiruvallur District.
- 2.The Judicial Magistrate No.I,
Thiruvallur.
- 3.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
gbi

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