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CrI.OP.No. 20303 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 20303 of 2025

1.A.Arul

2.A.Sujatha

...Petitioners/A15 & A16

Versus

The State rep. by

The Inspector of Police

Economics Offences Wing (EOW)

Thiruvallur

Crime No. 1 of 2025.

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest pending investigation in Cr.No.1 of 2025 on the file of the respondent police.

For Petitioners : Mr.T.Parthiban

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 409, 408, 468, 471, 477A, 420 r/w sec.34 of IPC in Crime No.1 of 2025, on the file of the

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respondent Police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners joining hands with other accused criminally misappropriated funds belonging to the de-facto complainant/Co-operative Credit Society to the tune of Rs.2,14,90,673/- during the period from 31.03.2015 to 31.05.2023 by creating false documents, falsifying accounts and thereby cheated the Society. The specific allegation against the petitioners is that they received a sum of Rs.10 lakh each from the Society without possessing valid grain guarantor mortgage documents. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and they have not committed any offences alleged by the prosecution. He also submits that the petitioners are ready to abide by any condition that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant



of anticipatory bail to the petitioners.

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4.The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and he opposed for grant of anticipatory bail to the petitioners.

5. Earlier, on 07.10.2025, petitioners herein submitted that they are ready to repay the money received by them, hence this Court directed the petitioners to file an undertaking affidavit towards repayment of the grain loan amount obtained from the de-facto complainant/Co-operative Credit Society. Today, the petitioners have filed their affidavit before this Court seeking a period of two months time to repay the loan amount of Rs.10 lakhs each to the de-facto complainant.

6. Considering the submissions made by learned counsel for the petitioners, this Court is of the view that the petitioners are bound to repay the sum of



Rs.10 lakhs each within a period of two months, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 **District Munsif-Cum-Judicial Magistrate, Gummudipoondi**, on condition that the petitioners 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, everyday at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[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.

30.10.2025

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1.The District Munsif-Cum-Judicial Magistrate, Gummudipoondi.

2.The Inspector of Police
Economics Offences Wing (EOW)
Thiruvallur

Crime No. 1 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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