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Crl.OP.No.21193 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.21193 of 2025

1.Muthulakshmi
2.A.Ilayarani

... Petitioners / A2 & A3

Vs.

State rep by
The Inspector of Police,
Sholavaram Police Station,
Avadi City Police.
(Cr.No.322 of 2025)

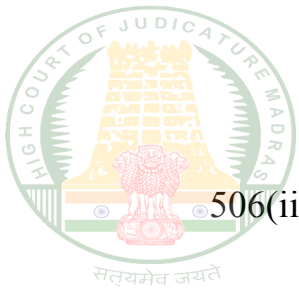
... Respondent

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 in connection with Cr.No.322 of 2025 on the file respondent police.

For Petitioners : Mr.M.D.Ilayaraja
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioners herein, apprehend arrest at the hands of the respondent for the alleged offence under Sections 406, 420, 294(b) &



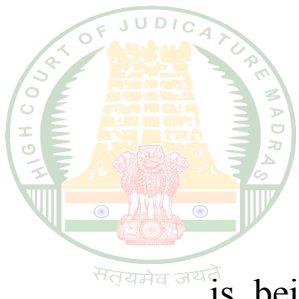
506(ii) in Crime No.322 of 2025, seek anticipatory bail.

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2.The case of the prosecution is that for medical expense and constructing house one Panchavarnam, who is the aunty of the defacto complainant, along with the 1st accused borrowed a sum of Rs.20/- lakhs from the defacto complainant. Subsequently, the said Panchavarnam had died. When the defacto complainant asked for return of the money, the petitioners refused to repay the amount and also abused the defacto complainant and threatened her with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners state that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submitted that only the mother of A1 had borrowed the money from the defacto complainant. The petitioners herein were falsely implicated in this case and they are no way connected to this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the 2nd petitioner / A3 has been arrested by the respondent police.



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5. Considering the facts and circumstances of the case, the petitioner is being a lady, and major allegation is only against A1, this Court is inclined to grant anticipatory bail to the 1st petitioner and since the 2nd petitioner was arrested, this petition become infructuous so far as the 2nd petitioner is concerned.

6. Accordingly, the 1st 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, Ponneri***, on condition that the 1st petitioner shall execute separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the 1st petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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



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obtain a copy of any one of the identity proofs to ensure their identity;

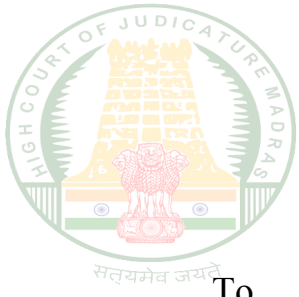
[c] the 1st petitioner shall report before the respondent police daily at 10.00 a.m., for a period of one week and thereafter, as when required for the interrogation;

[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.

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smv



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- 1.The The Inspector of Police,
Sholavaram Police Station,
Avadi City Police.
- 2.Judicial Magistrate – II, Ponneri.
- 3.The Public Prosecutor,
High Court of Madras.



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MR.K.RAJASEKAR, J.

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