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CRL OP No. 25564 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 25564 of 2025

1. Marikkannu

2. Meenal

Petitioner(s)

Vs

The State of Tamilnadu, Rep by,
The Inspector of Police,
Pallapatty Police Station, Salem City,
Tamilnadu, Crime No. 324/2025.

Respondent(s)

PRAYER: This Criminal Original Petition is filed to grant Anticipatory Bail to the petitioners in Crime No. 324/2025 on the file of the Inspector of Police, Pallapatty Police station, Salem City.

For Petitioner(s): Mr.N.Thamizhanban

For Respondent(s): Mr.S.Udhayakumar, GA (CrI.Side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 417, 420 of IPC in Crime No.324 of 2025, on the file of the respondent Police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners, in collusion with the other accused, orchestrated a conspiracy to cheat the defacto complainant by falsely promising a lucrative sale of his diamonds. Pursuant to this deceitful plan, they took possession of the diamonds from the defacto complainant, but subsequently failed to fulfil their obligations. Instead, when confronted, the accused persons resorted to threatening the defacto complainant with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they are no way connected with the alleged offense. It is further submitted that the allegations are purely civil in nature, arising out of business transactions and the defacto complainant has given the entire case a criminal color only to pressurize the petitioners. The learned counsel further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this court and therefore, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case and, on instructions, submitted that the diamonds had been recovered and one of the co-accused in this case had been arrested and subsequently released on bail. The learned Government Advocate (Crl.Side) vehemently opposed the grant of anticipatory bail to the petitioners, stating that the investigation is at a crucial stage and that granting bail at this stage would potentially impede the progress of the case.

5. Heard the learned counsels on either side and perused the materials available on record.

6. In view of the recovery of the diamonds and the release of the co-accused on bail, coupled with a careful consideration of the case's facts and circumstances, this Court is of the opinion that that custodial interrogation of the petitioners is not necessary for investigative purposes. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 (15) days from



the date on which the order copy made ready, before the **learned II Judicial**

Magistrate, Salem on condition that **the petitioners shall execute a separate**

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

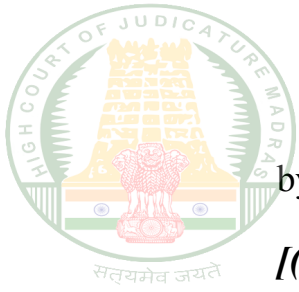
concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down



by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala*
[(2005) AIR SCW 5560];

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(e) If the accused thereafter absconds, a fresh FIR can be
registered under Section 269 of BNS.

17-09-2025

Gbi

To

1. The Inspector of Police,
Pallapatty Police Station, Salem City,
tamilnadu.

2. The II Judicial Magistrate,
Salem.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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