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CRL OP No. 25544 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 25544 of 2025

1. Devadharshini

2.S.Kalpana

Petitioner(s)

Vs

The State rep by, Inspector of Police,
D-3, Podanur Police Station,
Coimbatore District. (Crime No. Not
Known of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS 2023 to enlarge the Petitioner on bail in the event of arrest in connection with the above said Crime No. Not Known of 2025 on the file of the respondent.

For Petitioner(s): Mr.B. Thirumalai

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 406 & 420 of IPC and Sections 316(2) and 318(2) of BNS in Crime No.Not



known of 2025 pending on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that on October 28, 2023, the petitioner entered into a rental agreement with the defacto complainant for a period of three month, for using the vehicle of the defacto complainant, but they failed to pay the rent, or return the vehicle despite several requests. Therefore, the defacto complainant preferred a complaint against the petitioners. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and falsely implicated in this case. He further submitted that the first petitioner is the lease holder of the vehicle and there is no due from the first petitioner and the second petitioner is no way connected with the alleged offence. Learned counsel further submits that petitioners are also victims and they were cheated by one Satham and they are willing to cooperate with the defacto complainant to recover the vehicle. Hence, prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the anticipatory bail to the petitioners, reiterated the prosecution's case and on instruction submitted that the investigation in this case is at crucial stage and if the petitioners are granted anticipatory, there is a possibilities of tampering the witnesses and hampering the investigation.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submission made by the leaned counsel for the petitioners that petitioners are willing to cooperate with the defacto complainant to recover the vehicle, and also major allegation is that, they failed to pay the rent, this Court is inclined to grant anticipatory bail to the petitioners subject to 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 days from the



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date of receipt of a copy of this order, before the **learned District Munsif Cum**

Judicial Magistrate, Madukarai, Coimbatore District on condition that the

each petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty**

Five 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

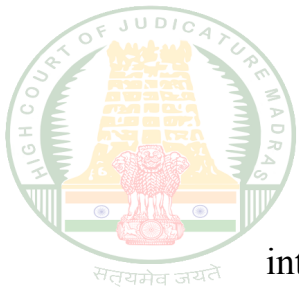
satisfaction of the said Magistrate, on further conditions that:

[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 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 petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks;**

[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;



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[e] the petitioners shall make himself available for interrogation by a Police officer 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 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]**;

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

17-09-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Inspector of Police,
D-3, Podanur Police Station,
Coimbatore District.
2. The District Munsif cum Judicial
Magistrate, Madukarai,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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