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CRL OP NO. 26283 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 26283 of 2025

Vanmathi Kanniappan

Petitioner

Vs

The State rep by

The Inspector of Police,
MGR Nagar Police Station

Chennai,

Crime No. 72 of 2025.

Respondent

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, 2023 praying to enlarge the bail in the event of arrest to the petitioner in Crime No. 72 of 2025 on the file of respondent police.

For Petitioner : Mr.Santhoshkumar Ravi

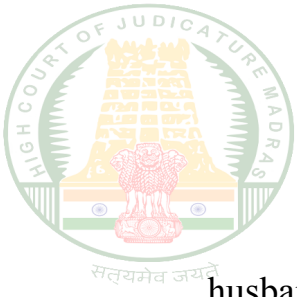
For Intervenor : Mr.S.Lal Devasagam

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316 (2), 318 (2) of BNS in Crime No.72 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2.The allegation against petitioner is that the petitioner along with her husband had received a huge amount of Rs.45,41,000/- from the de-facto complainant & others, under the guise of “getting government job” and thereafter, the petitioner along with her husband had cheated the de-facto complainant & others. Hence the complaint.

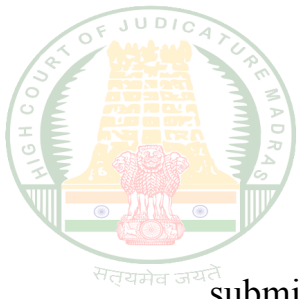
3.The learned Counsel for the petitioner submitted that the petitioner is a doctor, who is running Andria Poly Clinic at Jafferkhanpet, Chennai. The de-facto complainant is a medical representative who has supplied the various medicines to the petitioner herein. Subsequently, the petitioner had availed loan Rs.19,00,000/- credit service through the de-facto complainant's Employer. When the credit limit was exceeded beyond the limit, the de-facto complainant demanded the said amount, whereas, the petitioner was not in a position immediately to settle the aforesaid amount. He further submits that the de-facto complainant was not able to supply some medicines to the petitioner herein. He further submits that the de-facto complainant lodged a false complaint under the pretext of “Job Racketing” against the petitioner herein. He further submits that the de-facto complainant had received a sum of Rs.5,00,000/- vide DD.No. 437199 of



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Karnataka Bank, K.K.Nagar Branch, dated 09.06.2025 as per the compromise had entered into between the parties on 23.06.2025. Pursuant to the same, both parties had agreed as One Time Settlement arrived at a sum of Rs.19,00,000/- and the same was recorded as per the Cancellation of Loan Agreement dated 23.06.2025. He also submits that the petitioner is 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 petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submits that the petitioner along with her husband had received a huge amount of Rs.45,41,000/- from the de-facto complainant & 14 others under the guise of “getting government job” and thereafter, the petitioner along with her husband had cheated the de-facto complainant & 14 others. He further submits that the investigation has been pending against the petitioner & others. However, he opposed for grant of anticipatory bail to the petitioner.

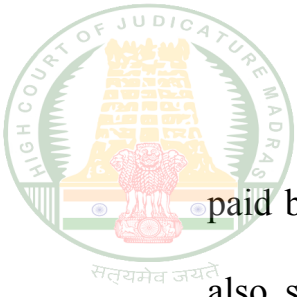


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5. The learned Counsel for the Intervenor/De-facto complainant submitted that the petitioner along with her husband who were running Andria Poly Clinic at Jafferkhanpet, Chennai, and they had collected huge amount to the tune of Rs.45,41,000/-. He further submits that the custodial interrogation is required in this case and the learned Counsel prays to dismiss the above petition.

6. Heard the learned counsels and perused the materials available on record.

7. On perusal of records, it is seen that the petitioner who is running Andria Poly Clinic at Jafferkhanpet, Chennai, and she had received only a sum of Rs.19,00,000/- as hand loan from the de-facto complainant in the year 2015 and subsequently, she paid a sum of Rs.5,00,000/- to the de-facto complainant vide D.D.No. 437199 of Karnataka Bank, K.K.Nagar Branch, dated 09.06.2025 and the balance amount of Rs.14,00,000/- would be paid as per the agreement entered into between the parties dated 23.06.2025. After registration of an FIR, a compromise had entered into between the parties, wherein, it has been recorded that a sum of Rs.10,00,000/- has been



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paid by the petitioner herein to the de-facto complainant and the same was also suppressed by the de-facto complainant, a false complaint has been lodged by the de-facto complainant against the petitioner herein. Therefore, I am of the view that custodial interrogation is not required in this case.

8. Considering the facts and circumstances of the case, submissions made by learned counsels on either side and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the 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 **XXIII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioner 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 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;



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[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 daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation. Further, the petitioner is directed to comply with the conditions earlier entered into an agreement between the parties dated 23.06.2025.

[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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To

- 1.The XXIII Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police,
MGR Nagar Police Station
Chennai, Crime No. 72 of 2025.
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

MSM



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