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CRL OP NO. 26720 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26-09-2025**

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 26720 of 2025

1.S.Gokilambal

2.K.Sukumar

...Petitioners/A1 and A4

Vs

State rep. by, The Inspector of Police,
Mahalingapuram Police Station

Coimbatore

(Crime No. 153 of 2025).

Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioner in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. 153 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.J.Aravind

For Respondent(s): 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 336(2), 336(3), 340(2) and 318(4) of BNS, 2023 in Crime No.153 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioners is that A1 was working as a cashier in a Clinic of De-facto complainant for the period from 14.10.2021 to 23.09.2023. A1 to A4 had conspired and misappropriated the funds to the tune of Rs.42,31,000/- from pharmacy accounts of the Clinic by manipulating medical bills. A1 had diverted and transferred a portion of misappropriated funds into the bank account in the name of her husband viz., the second petitioner/A4 herein. Hence the case.

3. The learned counsel for the petitioners submits that the entire transactions were taken place for the period from 14.10.2021 to 23.09.2023 and the complaint has been registered against the petitioners belatedly. He further submits that the petitioners have been falsely implicated in this case. He also submits that the petitioners are ready to abide by any conditions 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 submits that no one has been arrested in this case and recently an FIR has been registered against the petitioners. He further submits that investigation has not been concluded. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the submissions made by the learned Counsel on either side; considering the fact that the 1st petitioner is being a lady and the said transactions were taken place for the period from 14.10.2021 to 23.09.2023 and the complaint has been registered against the petitioners herein in the year 2025, 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 **Judicial Magistrate No.2, Pollachi**, 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 petitioners 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 Suretyship [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 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;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid



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CRL OP NO. 26720 of 2025

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.

26.09.2025

MSM

To

1.The Judicial Magistrate No.2, Pollachi.

2. The Inspector of Police,
Mahalingapuram Police Station

Coimbatore

(Crime No. 153 of 2025).

3.The Public Prosecutor, High Court of Madras.



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CRL OP NO. 26720 of 2025

K.RAJASEKAR, J.

MSM

CRL OP NO. 26720 of 2025

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