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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.10.2025**

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.27877 of 2025

1. Arun
2. Kowsalya

Petitioners

Vs

State represented by the Inspector of Police,
DCB Police Station, Perambalur District.

Crime No.17 of 2025

Respondent

For Petitioners : Mr.Pradeep
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.side)

ORDER

The petitioners, who were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 417, 420, 294(b) and 506(2) of IPC in Crime No.17 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused in this case are family members and that accused No.3 is the wife of the defacto complainant's brother. On 09.06.2025, when the defacto complainant's father was affected physically while he was in Abroad, he returned to his Village. After that, the compensation amount of



Rs.19,09,004/- had sent by his company to his Labbaikudikadu Axis Bank account on various dates. The defacto complainant is the only nominee of his father's account. After the death of the defacto complainant's father, his brother's wife/accused No.3 and other accused were debited the above said amount on various dates with the ATM card and using the PIN numbers. The accused No.A3/Kowsalya by using the above said money purchased three properties and registered in their name. Thereafter, despite the repeated request made by the defacto complainant, the petitioners/accused did not repay the amount and using filthy language, threatened him. Hence, the case.

3. The learned counsel for the petitioner would submit that the entire allegations had been taken place in the year 2019 and subsequently, there was a dispute among the family members. Hence, prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) would submit that the investigation is in initial stage and no one is arrested in this case. He would further submit that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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



available on record.

6. I have gone through the FIR and found that the allegations of withdrawal of money was taken place in the year 2019. According to the prosecution, based on the money withdrawn by the accused, they had purchased the properties. Considering the fact that there is no previous allegation against the petitioners and no one is arrested in this case, 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 his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate - I, Perambalur**, 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 fail to surrender before the concerned Magistrate within a period of ten 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 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 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.

13.10.2025

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To

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1. The Inspector of Police,
DCB Police Station, Perambalur District.

2. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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