



WEB COPY



Crl.O.P.No.28736 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : **23.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL.O.P.No.28736 of 2025

1.Kathirvel
2.Rajeswari

... Petitioners

Versus

State rep. by,
The Inspector of Police,
DCB, Perambalur District.
(Crime No.17 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, to enlarge the petitioners on bail pending investigation in Crime No.17 of 2025 on the file of the Respondent Police.

For Petitioners	:	Mr. J. Pradeep
For Respondent	:	Mr. A. Gopinath, Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 12.09.2025, for the offences punishable under Sections 406, 417, 420, 294(b) and 506(2) of I.P.C, in Crime No.17 of 2025, registered on the file respondent police, seeks bail.



Crl.O.P.No.28736 of 2025

2. The case of the prosecution is that the petitioners, along with the other accused are family members and the accused/A3 is the wife of the defacto complainant's brother, and that the defacto complainant's father, while working abroad, received a compensation amount of Rs.19,09,004/- in his Axis Bank account. After his death, the accused/A3 and other accused allegedly withdrew the said amount using the ATM card and PIN number of the deceased and purchased three properties in the name of the accused/A3/Kowsalya. Despite repeated requests, the accused failed to return the amount and threatened the defacto complainant in filthy language. Hence, the present case.

3. The learned counsel for the petitioners submitted that the entire allegation against the petitioners had taken place in the year 2019 and subsequently, due to a civil dispute among the family members, the First Information Report came to be registered only in the year 2025. The petitioners have been in judicial custody since 12.09.2025, and the co-accused have already been granted anticipatory bail in Crl.O.P.No.27877 of 2025 dated 13.10.2025, by citing the same he prayed for the grant of bail to the petitioners.



Crl.O.P.No.28736 of 2025

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is at an initial stage and that no one has been arrested so far. He further submitted that the co-accused were granted anticipatory bail in this case and there are no previous cases pending against the petitioners. However, he vehemently opposed to grant bail to the petitioners.

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

6. I have gone through the First Information Report, and found that the alleged withdrawal of money was taken place in the year 2019. According to the prosecution, the accused had purchased properties using the said amount. Taking into account the period of incarceration undergone by the petitioners, and the co-accused have already been granted anticipatory bail, this Court is inclined to grant bail to the petitioners with certain conditions.



Crl.O.P.No.28736 of 2025

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** for a like sum to the satisfaction of the **learned Judicial Magistrate - I, Perambalur**, and on further conditions that:

[a] 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;

[b] the petitioners shall report before the respondent police everyday at 10:30 A.M., for a period of three weeks and thereafter, as and when required for interrogation;

[c] 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 petitioners were released on bail by the learned Magistrate/Trial Court himself as laid down by the



WEB COPY



Crl.O.P.No.28736 of 2025

Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

[d] If the petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

23.10.2025

klt

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate 1, Perambalur.
- 2.The Central Jail, Cuddalore.
- 3.The Inspector of Police, DCB, Perambalur District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



WEB COPY



Crl.O.P.No.28736 of 2025

K.RAJASEKAR, J.

klt

Crl.O.P. No.28736 of 2025

23.10.2025