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Crl.O.P.No.28520 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.28520 of 2025

Bapitha

... Petitioner/ A2

Vs

The State Rep. By,
The Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
(Crime No.15 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.15 of 2025 on the file of the respondent police.

For Petitioner : Mr. Jeremiah Gregory John

For Intervenor : Mr. S.P. Vishnu Prasath

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER



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2. The case of the prosecution is that in the year 2022, the defacto complainant got acquaintance with the petitioner herein and her husband/ A1 through her relative and they induced her to join in a chit run by the A1 and the petitioner; that thereby, the defacto complainant joined in chit under 24 months scheme and paid the chit amount regularly on monthly basis; that whileso, after completion of the tenure of the chit, the petitioner and A1 had evaded in making the payment of Rs.9,50,000/- and cheated the defacto complainant and also threatened her of dire consequences. Hence, the defacto complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, since she is the wife of A1 and there is no specific overt act against the petitioner herein; that the co-accused/ A1 was already arrested and released on interim bail; and that



the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

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4. The learned counsel for the intervenor raised strong objection for the grant of anticipatory bail to the petitioner herein by stating that, the petitioner herein had actively participated in the chit transactions and after collecting chit amount of every month from the defacto complainant, the petitioner and other accused failed to repay the chit amount. He further submitted that A1 in this case was granted interim bail with a direction to undergo mediation.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the total amount alleged to have been cheated by the petitioner herein and A1 is to the tune of Rs.9,50,000/-; and that the investigation of this case is pending.

6. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that A1 was arrested and released on interim bail and since custodial interrogation of the petitioner herein is not



necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Tiruvannamalai District** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 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 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;**



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[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.

11.12.2025

stn

To

1. The Judicial Magistrate No.I,
Tiruvannamalai District.

K. RAJASEKAR, J.

stn

2. The Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
(Crime No.15 of 2025)

3. The Public Prosecutor,
High Court of Madras.

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