



Crl.O.P.No.34531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34531 of 2025

1. Ramya
2. Dharmaraja @ Raja ... Petitioners

Vs.

State By,
Represented by The Inspector of Police,
District Crime Branch,
Nagapattinam.
Crime No.5 of 2025 ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory
bail in the event of his arrest in Crime No.5 of 2025 on the file of the
respondent police.

For Petitioners : Mr.Nalli Aravindasamy S S
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 316(2) and 318(4) of BNS in Crime No.05 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners are A6 and A8 and they induced the defacto complainant to invest in the Real Estate and also collected gold jewels weighing 34 sovereigns and also cash of Rs.21 lakhs from the defacto complainant and subsequently cheated them. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that, petitioners are innocent persons and they have been falsely implicated in this case and no properties have been received by the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that confession statement recorded from the



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other accused revealed that the jewels and cash were handed over to the 1st petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the properties were handed over to the 1st petitioner and the same has not been recovered yet, this Court is not inclined to grant anticipatory bail to the 1st petitioner/A6. However, considering the fact that there is no specific overt act against the 2nd petitioner, this Court is inclined to grant anticipatory bail to the 2nd petitioner/A8 alone.

6. Accordingly, the 2nd petitioner is 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 No.I, Nagapattinam** on condition that each of the 2nd 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 2nd 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



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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 2nd petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two 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 2nd petitioner in accordance with law as if the aforementioned conditions have been imposed and the 2nd 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.Judicial Magistrate No.I, Nagapattinam

2. The Inspector of Police,
District Crime Branch,
Nagapattinam.

- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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