



CRL OP(MD)No.2436 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.2436 of 2025

Remya

... Petitioner

Vs

The State of TamilNadu,
Rep. by The Inspector of Police,
Kottar Police Station,
Kanniyakumari District.

... Respondent

For Petitioner : Mr.V.V.Prabhu

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)
Mr.N.Kamesh
(for intervenor in Crl.MP(MD)No.2588/25)
Ms.Anbarasi
(for intervenor in Crl.MP(MD)No.3697/25)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.363 of 2023 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 120B, 294(b), 506(1) and 420 of IPC in Cr.No.363 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have promised to arrange a business visa for Zambia through her close associate / A2, and received a total sum of Rs.8,30,000/-. However, since the visa arrangements were not made, when the defacto complainant requested his money back, the petitioner threatened him. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner did not involve in any of the offences as alleged by the prosecution. The petitioner is an innocent and he is falsely implicated in this case. The petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenors submitted that the accused cheated the amount of Rs.8,00,000/- in order to arrange business visa. However, the accused did not repay the amount.

5. The learned Government Advocate (Crl.Side) appearing for the respondent



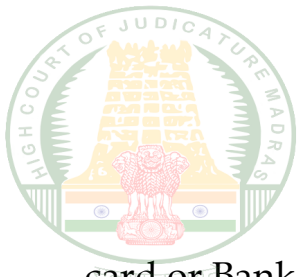
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police, on instructions, would submit that the defacto complainant and the petitioner's husband were doing business in Zambia and business transactions took place even before registering the FIR with regard to visa issue. He would further submit that the second accused is still absconding. However, he prays to dismiss this Criminal Original Petition.

6. Considering the facts and circumstances of this case and considering the fact that the defacto complainant and the petitioner's husband were doing business as partners, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate No.II, Nagercoil, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



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card or Bank Pass Book to ensure their identity.

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[b] the petitioner shall report before the respondent Police every monday and friday at 10.30 a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
09/05/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO मेव जयते

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1.The Judicial Magistrate No.II, Nagercoil.

2. Do through the Chief Judicial Magistrate, Kanniyakumari at Nagercoil.

3.The Inspector of Police,Kottar Police Station, Kanniyakumari District.

4.The Additional Public Prosecutor,Madurai Bench of Madras High Court,Madurai.

+2 CC to M/s.V.V.PRABHU, Advocate (SR-5427[I] dated 09/05/2025)

ORDER IN

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Date :09/05/2025

PP/20.05.2025 5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023