



CRL OP(MD). No.4572 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4572 of 2025

1. V Nagarajan
2. N Priya

... Petitioners/ Accused Nos.1 and 2

Vs

The State of Tamilnadu,
Rep By, he Inspector of Police,
Central Crime Branch (CCB) Police Station,
Madurai City.
Cr.No.46 of 2024.

... Respondent/ Complainant

For Petitioner	: Mr. C.M.Mari Chelliah Prabhu Advocate
For Respondent	: Mr.R. Meenakshi Sundaram Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-
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For Anticipatory Bail in Cr.No.46 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 10.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / A1 and A2 apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 120B, 406, 420 IPC and Sections 3 and 5 of Tamil Nadu Protection of Interest Depositors (in Financial Establishment) Act, 1997, in Crime No.46 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the petitioners herein are husband and wife and they have approached the defacto complainant and his wife by saying that a company viz., Accel Infotech Software solutions was running at Arasaradi, Madurai and further they assured that if they deposit a sum of Rs.1,00,000/-, they would get a sum of Rs.2,000/- per day for 100 days. Believing the words of the



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petitioners, the defacto complainant has deposited a sum of Rs.26,00,000/-. But, later returns were not paid as promised by the company. Hence, the case.

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4. Mr.C.M. Mari Chelliah Prabhu, the learned counsel for the petitioners, submits that the petitioners are innocent persons, and they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Government Pleader appearing for the respondent-police, submits that the investigation of the case is still pending and, thereafter, at this stage of investigation, if pre-arrest bail is granted to the petitioners, they may cause threat to the witnesses and commit the similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. In view of the offence alleged against the petitioners, this Court is of the



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considered opinion that custodial interrogation of the petitioners is not necessary in this case. The petitioners have permanent residence and therefore, there is less possibility for absconding. Considering the same, and also considering the facts and circumstances of the case, and with a view to give an opportunity to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Thousand only) to the satisfaction of the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity.

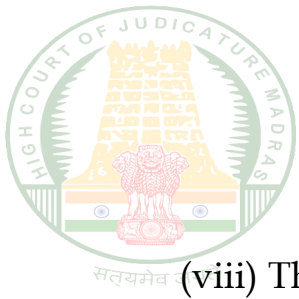
(iii) The petitioners shall appear and sign before the respondent - police daily at 10.00 am until further orders;

(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(vi) The petitioners shall not leave India without the prior permission of the Court.

(vii) The petitioners shall not directly or indirectly cause any threat to the defacto complainant and tamper with the evidence.



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(viii) The petitioners shall furnish their residential address and mobile number to the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai.

(ix) On breach of any of the aforementioned conditions, the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
09/04/2025

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/05/2025

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

trp



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1. The Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai
2. The Inspector of Police,
Central Crime Branch (CCB) Police
Station, Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.M.MARI CHELLIAH PRABHU, Advocate (SR-4199[I] dated 15/04/2025)

ORDER
IN
CRL OP(MD) No.4572 of 2025
Date :09/04/2025

VN/16.05.2025 7P/5C

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