



*CrI.O.P.(MD)No.5227 of 2025*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25.11.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.5227 of 2025

1. Marckam @ Markam  
2. Chinnathenmozhi @ Chinna Thenmozhi ... Petitioners

Vs.

The State of Tamil Nadu,  
Rep.by The Inspector of Police,  
Bodinayakkanur Rural Police Station,  
Theni District.  
(Crime No.128 of 2022) ... Respondent

For Petitioners : Mr.C.Senthil Murugan

For Respondent : M/s.M.Aasha  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.128 of 2022 on the file of the respondent police.



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**ORDER:** The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 406, 420, 294(b) and 506(ii) of IPC, in Crime No.128 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the 1<sup>st</sup> accused and the de-facto complainant are relatives. The 1<sup>st</sup> accused served as an Office Assistant in Uthamapalayam. The 1<sup>st</sup> petitioner is a retired surveyor and the 2<sup>nd</sup> petitioner is the wife of 1<sup>st</sup> petitioner, who is also a surveyor working at Madurai. During 2019, the 1<sup>st</sup> and 2<sup>nd</sup> accused approached the de-facto complainant and deceived that there are plots for sale in meager amount. The de-facto complainant had paid Rs.6,00,000/-. After the receipt of the amount, the petitioner cheated the de-facto complainant. Hence, the apprehension of arrest. Hence, a case has been registered as against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioners are serious in nature.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Learned Judicial Magistrate, Bodi, within a period of fifteen days from the date on which the order copy made ready and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the 1<sup>st</sup> petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) and the 2<sup>nd</sup> petitioner is directed to deposit a sum of Rs. 50,000/- (Rupees Fifty Thousand Only), to the credit of Crime No. 128 of 2022



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before the learned Judicial Magistrate, Bodi, within a period of four weeks from the date on which the order copy made ready. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No. 128 of 2022. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

[c]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

[f]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 petitioner is 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].

[g]If the accused thereafter absconds, a fresh FIR can be registered under



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Section 269 of BNS.

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TO

1. Judicial Magistrate,  
Bodi.

2. The Inspector of Police,  
Bodinayakkanur Rural Police Station,  
Theni District.

3. The Additional Public Prosecutor,  
Madurai Bench Of Madras High Court,  
Madurai.



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**S.SRIMATHY,J**

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ORDER  
IN  
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