



CRL OP(MD). No.5589 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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John Ganesh

... Petitioner/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
District Crime Branch,
Tuticorin District.
(Crime No.29 of 2024)

... Respondent/Complainant

For Petitioner : M/s.B.Prasanna Vinoth

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

For Intervenor : Mr.M.Arikaran
(Crl.MP(MD).No.4782 of 2025)

For Intervenor : Mr.J.Velmurugan
(Crl.MP(MD).No.13270 of 2025)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :- For Anticipatory Bail in Crime No.29 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 465, 468, 471 and 420 of IPC, in Crime No.29 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainants are staff in the Nadar Higher Secondary School and the petitioner is a Head Master in the same School. Further, the petitioner had deducted the Income Tax amount of the defacto complainant every month and issued an acknowledgement for the same and produced the Income Tax return papers as well as bank receipts. Furthermore, one of the Teacher had applied loan for his personal used and produced the document issued by the petitioner where the staffs of the said school found the documents produced by the petitioner was a fabricated document and he neither paid any of our tax to the Income Tax Department and the Income Tax Department had issued a Demand Notice against the staffs of the said



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school. Hence, the complaint. Therefore, the petitioner had cheated the defacto complainants. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner along with 17 teachers, have paid their income tax through Mr.Thangamariappan, a Lab Assistant, since 2013. Further, the said Thangamariappan had gained the trust of the petitioner, and along with other teachers and they had been paying their income tax through him. However, the said Thangamariappan misappropriated the funds without paying the income tax to the department. He further submitted that the petitioner is one of the victims and he lodged a complaint before the Kovilpatti West Police Station and Superintendent of Police, Tuticorin. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is no previous case pending against the petitioner and the investigation is still pending. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the defacto complainants/Intervenor submitted that the petitioner had cheated the staff members of the school. Hence, they strongly opposed for grant of anticipatory bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and if the petitioner is directed to deposit some amount to the credit of crime number, the same would suffice to grant anticipatory bail to the petitioner, with other conditions.

7. Accordingly, the petitioner is ordered to be released on 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



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Magistrate No.IV, Tuticorin, 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 Judicial Magistrate No.IV, Tuticorin, 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 card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs. 5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.29 of 2024 before the Judicial Magistrate No.IV, Tuticorin. On such deposit, the Judicial Magistrate No.IV, Tuticorin, shall accept the sureties furnished by the petitioner. After receipt of entire amount, the Judicial Magistrate No.IV, Tuticorin, 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.29 of 2024. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said



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amount in its final order/Judgment.

(c) the 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) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner 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 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]* and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

(S S Y J)
30.10.2025

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To

- 1.The Judicial Magistrate No.IV,
Tuticorin.
- 2.The Inspector of Police,
District Crime Branch,
Tuticorin 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
CRL OP(MD) No.5589 of 2025**

**30.10.2025
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