



CRL OP(MD)No.17201 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 14.10.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

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1. Kumar
2. Rajathi
3. Mahesh

... Petitioners/
Accused 2, 3 and 4

Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
DCB Police Station,
Thanjavur District.
[Crime No.21 of 2025]

... Respondent/
Complainant

For Petitioners : Mr.A.Senthilkumar

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

For Intervenor : Mr.P.Arun Jayatram

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

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For Anticipatory Bail in Crime No.21 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(4), 318 (4), and 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. 21 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a hardware business under the name and style of “Murugappa Hardwares. The defacto complainant noticed that certain mismatches account in the shop. On verification, it was allegedly found that A1 had credited the sale proceeds into his personal bank account instead of depositing the same into the business account of the complainant. It is further alleged that the petitioners along with other accused had misappropriated the funds belongs to the defacto complainant and cheated him. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are only close relatives and not involved in the transactions at all. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court.. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the petitioners along with other accused persons had cheated the defacto complainant. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the petitioners are only close relatives of A1 and A1 was already granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Pattukkottai, Thanjavur District on condition that the petitioners shall execute a separate 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate, Pattukkottai, Thanjavur District 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Pattukkottai, Thanjavur District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Pattukkottai, Thanjavur District;



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(c) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter as and when required for the purpose of interrogation.

(d) the petitioners shall not tamper with 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 petitioners 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]*; and;

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

(S S Y J)
14.10.2025

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TO

1. The Inspector of Police,
DCB Police Station,
Thanjavur District.
2. The Judicial Magistrate,
Pattukkottai,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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