



Crl.O.P.(MD)No.18418 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :29.10.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.18418 of 2025

Raphel Sahaya Bharathson

... Petitioner

Vs.

The State of Tamil Nadu,
Through the Inspector of Police,
Anjugramam Police Station
Kanyakumari District
(Crime No. 216 of 2025)

... Respondent

***(Amended as per the order passed by this Court,
dated 29.10.2025, passed in CRL MP(MD)No.
15793 of 2025 in CRL OP(MD)No.18418 of 2025)***

For Petitioner : Mr.A.Balakrishnan

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

For Intervenor : Mr.M.Murugan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.216 of 2025 on the file of the respondent police.

***(Amended as per the order passed by this Court, dated 29.10.2025, passed in
CRL MP(MD)No.15793 of 2025 in CRL OP(MD)No.18418 of 2025)***



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4), 351(2) of BNS, 2023 in Crime No.216 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant had a good acquaintance with one Manoharan from Chennai who received an amount of Rs.20 Lakhs/- by giving an assurance that he would get CBSE Board recognition to the de-facto complainant's School. Upon the instruction of the mentioned Manoharan out of Rs.20 lakhs/-, Rs. 4 lakhs/- was deposited in the account of petitioner. After receiving money the said Manoharan failed to get the CBSE Board recognition to the de-facto complainant's school as assured by him. Hence, a case has been registered as against the petitioner.

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



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

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 Learned Judicial Magistrate No.III, Nagercoil within a period of fifteen days from the date of receipt of a copy of this order and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only), to the credit of Crime No.216 of 2025 before the learned Judicial Magistrate No.III, Nagercoil. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an



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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.216 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

[c]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d]the petitioner shall not tamper with the 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 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 Section 269 of BNS.

29.10.2025

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1. Judicial Magistrate No.III,
Nagercoil.
- 2.The Inspector of Police,
Anjugramam Police Station
Kanyakumari 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.18418 of 2025

Date :29.10.2025