



CRL OP(MD). No.19293 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.19293 of 2025

Madhankumar

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
District Crime Branch,
Madurai,
Madurai District.
(Crime No.37 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Sundar Srinivasan

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

For Intervenor : Mr.Babu Rajendran



CRL OP(MD). No.19293 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.37 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 34, 406, 420, 468, 471 and 120B of IPC, corresponding Sections 3(5), 316, 318(11), 336(3), 340(2) and 61 of BNS, 2023, in Crime No.37 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was falsely shown as a guarantor for a loan, and realized that he had been cheated by the accused persons. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as



CRL OP(MD). No.19293 of 2025

alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the defacto complainant was falsely shown as a guarantor for a loan, and realized that he had been cheated by the accused persons. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. There was a sale agreement between A1 to A3 and A4, but the defacto complainant's property was shown as the property to be mortgaged. The contention of the intervenor is that the said property, which was purchased in the year 2015, had already been mortgaged in 2016 with Tamil Nadu Mercantile Bank Ltd. It is further submitted that a xerox copy of the earlier mortgage document was produced before the fourth respondent, but without verifying the same, the fourth respondent proceeded to grant the subsequent mortgage. According to the petitioner, arbitral proceedings are already pending in which notice was issued to him, but he failed to appear. It is also stated that the defacto



CRL OP(MD). No.19293 of 2025

complainant's property has been attached in the said arbitration proceedings. Considering the fact that the petitioner was the Manager of the company at the time of executing the mortgage and was arrayed as an accused solely on that basis, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent



CRL OP(MD). No.19293 of 2025

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1. The Judicial Magistrate No.I, Madurai.
2. The Inspector of Police,
District Crime Branch,
Madurai,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

S.SRIMATHY,J.



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CRL OP(MD). No.19293 of 2025

jbr

ORDER
IN
CRL OP(MD) No.19293 of 2025

Date : 04.11.2025