



CRL OP(MD). No.19299 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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M.Shanmugam

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.
(Crime No.37 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Thamothar Raj

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

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.



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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 318(4), 296(b) and 351(2) of BNS, 2023, in Crime No.37 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant deposited a sum of Rs.12,20,000/- in the savings bank account of A1 for the purpose of redeeming certain jewel loans, at the instigation of one Veeramuthu. However, the said amount was immediately transferred to the bank account of one Selvakumar instead of being used for redemption of the jewels, and the accused persons allegedly failed to return the amount to the defacto complainant. 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 alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that that the defacto complainant deposited Rs.12,20,000/- in the account of A-1 for redeeming jewel loans, but the amount was immediately transferred to one Selvakumar and was not returned. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. The petitioner is an appraiser and has been arrayed as A-4. According to the prosecution, he ought to have ascertained the value and verified the relevant documents, but without verifying the same, he directed the defacto complainant to remit the payment. The allegation against the petitioner appears as to dereliction of duty. Considering the facts and circumstances of the case and also considering the nature of offence, 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,



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within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottai, 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 trial Court as and when required;

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

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate



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action against the petitioner 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;

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

(S S Y J)
04.11.2025

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To

1. The Judicial Magistrate, Devakottai.
2. The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai 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.19299 of 2025

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