



Crl.O.P.(MD)Nos.20819 and 21787 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.12.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.20819 of 2025 and
CRL OP(MD)No.21787 of 2025

Devi @ Senthooradevi Kadarkarai

... Petitioner

Vs.

State Rep.by,
The Sub-Inspector of Police,
Silaiman Police Station,
Madurai.
(Crime No.327 of 2024)

... Respondent

For Petitioners : Mr.C.Selvakumar

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)

For Intervenor : Mr.M.Dinesh Hari Sudarsan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.327 of 2024 on the file of the respondent police.



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CRL OP(MD)No.21787 of 2025

Vinoth

Petitioner(s)

Vs

1. State Of Tamilnadu Rep By
The Inspector Of Police,
Silaiman Police Station
Madurai District.
(Crime No.327/2024)

2. Kirubakaran

Respondent(s)

For Petitioner(s): Mr.R. Vignesh

For Respondent(s): Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.side) for R1

Prayer:

To cancel the bail granted by the Learned Principal Sessions Judge, Madurai, in Crl.M.P.No.2927 of 2025 in Crime No.327 of 2024 dated 11.07.2025 and to direct the accused to be arrested and to commit him to custody.

COMMON ORDER: The Court made the following order :-

The petitioner in CRL OP(MD)No.20819 of 2025, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 318(4) of BNS in Crime No.327 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused promised foreign employment in Russia. The complainant has transferred several amounts



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totalling Rs.2,50,000/- by him and Rs.2,50,000/- by Vinoth. All payments were transferred only to Account No.110112150211 (CNRB0004551) standing in the name of one R. Kirubakaran. The petitioner in CRL OP(MD)No.20819 of 2025 and her husband failed to arrange the promised employment and thereafter blocked his number. Hence, the apprehension of arrest. Hence, a case has been registered as against the petitioner in CRL OP(MD)No.20819 of 2025.

3.The learned counsel appearing for the petitioner in CRL OP(MD)No. 20819 of 2025 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.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioner in CRL OP(MD)No.20819 of 2025 are serious in nature.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner in CRL OP(MD)No.20819 of 2025 with certain conditions.



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6. Accordingly, the petitioner in CRL OP(MD)No.20819 of 2025 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.2, Madurai, within a period of fifteen days from the date on which the order copy made ready 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 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[c]the petitioner shall not tamper with the 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 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



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[(2005)AIR SCW 5560].

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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

7.The petitioner in CRL OP(MD)No.21787 of 2025 has filed the petition to cancel the bail granted by the Learned Principal Sessions Judge, Madurai, in Crl.M.P.No.2927 of 2025 in Crime No.327 of 2024 dated 11.07.2025 to one Kirubakaran (petitioner therein) and to direct the accused to be arrested and to commit him to custody.

8.This Learned Principal Sessions Judge, Madurai, has already granted bail in Crl.M.P.No.2927 of 2025 dated 11.07.2025 with a condition that after release, the petitioner therein shall deposit Rs.4,30,000/-. However, it is submitted that the petitioner therein has not complied with the condition. The Learned Counsel appearing for the petitioner therein expressed his apprehension that if the amount is deposited, the amount would be withdrawn by the defacto complainant. Further, the petitioner therein has made all arrangements for the defacto complainant to go abroad and has spent money on such trip. Therefore, the entire amount cannot be paid to the defacto complainant.



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9. Considering the rival submissions, this Court is the considered opinion that the petitioner therein cannot seek to modify the condition and he is supposed to deposit the amount in the crime number. However, as far as withdrawal is concerned, the defacto complainant is at liberty to file a fresh petition and the same would be considered after hearing the rival submissions and in accordance to law. As far as the deposit / the condition prescribed in the order in Crl.M.P.No.2927 of 2025 dated 11.07.2025, is concerned the Learned Judicial Magistrate is directed to issue a direction to the concerned Bank that the said amount shall be deposited in the crime number, which in turn shall be redeposited in an interest accruing fixed deposit.

10. With the above said observations, CRL OP(MD)No.21787 of 2025 is dismissed.

09.12.2025

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TO

1. Judicial Magistrate No.2,
Madurai.
- 2.The Sub-Inspector of Police,
Silaiman Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.
- 4.The Learned Principal Sessions Judge,
Madurai.



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S.SRIMATHY,J

TMG

ORDER
IN
CRL OP(MD) Nos.20819 and 21787 of 2025

Date : 09.12.2025