



CRL OP(MD). No.20840 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.11.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD). No.20840 of 2025

N.Sampathkumar

... Petitioner /Accused

Vs

The State of Tamil Nadu,
Rep By The Inspector of Police,
District Crime Branch,
Theni,
Theni District.
(Crime No.31 of 2025)

... Respondent/Complainant

For Petitioner : Mr.G.Sarathkumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.31 of 2025 on the file of the respondent police.



CRL OP(MD). No.20840 of 2025

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(4), 318(4) and 61(2) BNS in Crime No.31 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner misappropriated a sum of Rs.3,64,871/- belonging to the ESAF Small Finance Bank. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent-Police opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the



CRL OP(MD). No.20840 of 2025

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, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Theni, 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 the police officer who intends to arrest or to the satisfaction of the Judicial Magistrate Court, Theni, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 is directed to deposit a sum of Rs.1,00,000/- to the credit of Crime No.31 of 2025 before the concerned Court. On such deposit, the learned Judicial Magistrate shall accept the sureties furnished by the



petitioner. After receipt of entire amount, the learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank until the final order / judgment is passed in the case in the said crime number. 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 and co-operate with the investigation;

(d) the petitioner shall not tamper with 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 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;



CRL OP(MD). No.20840 of 2025

(g) if the accused/petitioner thereafter abscond, a fresh

FIR can be registered under Section 269 of BNS, 2023.

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(S S Y J)
20.11.2025

KSA

To

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

S.SRIMATHY, J.



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CRL OP(MD). No.20840 of 2025

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**ORDER
IN
CRL OP(MD) No.20840 of 2025**

Date : 20.11.2025