



CRL OP(MD). No.23275 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 17/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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M.Sethulakshmi

... Petitioner

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thoothukudi DCB Police Station,
Thoothukudi District.
Crime No.40 of 2025.

... Respondent/Complainant

For Petitioner : M.Arumugam,
Advocate.

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

For Intervenor/Defacto
Complainant : Mr.S.Bharathy Kannan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-24AB. For Anticipatory Bail in Crime No. 40
of 2025 on the file of the respondent Police.

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 316(2) & 318(4) of BNS 2023, in Crime No.40 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused cheated huge money from the defacto complainant company in business transaction. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent police opposed for grant of anticipatory bail to the petitioner.



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WEB COPY 5. The petitioner is the 1st accused. The petitioner is working as Accountant in the defacto complainant's Company. The specific overt act against the petitioner is that she has removed the original bill and credited a fake bill and transferred the amount to some 7 persons account.

6.The learned counsel for the intervenor/defacto complainant vehemently objected for the same stating that the defacto complainant is facing problem to repay the amount where the Company has purchased materials for construction purpose. Further, he submitted that other 7 persons belonged to some other State and they are not available. Therefore, it is difficult to collect the amount from them. Therefore, he prayed to direct the first accused/petitioner to pay half of the amount.

7. It is seen none of the amount was transferred to the petitioner's account. Therefore, this Court is of the view that a thorough investigation is



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necessary in this case.

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8.Considering the facts and circumstances of the case, and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. 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.4, Thoothukudi, within a period of fifteen days from the date on which the order copy is 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;



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[b] the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.40 of 2025 before the learned Judicial Magistrate No.4, Thoothukudi. 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 initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.40 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 and co-operate for investigation;

[d] the petitioner shall not tamper with the evidence or witness either



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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.

17.12.2025

PJL



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1. The Judicial Magistrate No.4, Thoothukudi.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Inspector of Police,
Thoothukudi DCB Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

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ORDER
IN
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