



CRL OP(MD). No.23949 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.12.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.23949 of 2025

1.Shanmugathai @ Glory

2.Arunkumar Nagarathinam ... Petitioners

Vs.

State of TamilNadu rep. by
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
(Crime No.636 of 2025)

... Respondent

For Petitioners : Mr.S.I.Sharukumar

For Respondent : Mr.S.Prakash
Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.636 of 2025
on the file of the respondent police.

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ORDER : The Court made the following order :-

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The petitioners/Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 406 & 420 of IPC in Crime No.636 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband and the second petitioner were working together and they have been family friends for 15 years. It is alleged that the 2nd petitioner faced loss in business and that due to financial crisis, the first petitioner sought assistance from her by pledging the gold jewels of the defacto complainant and settle her debts by obtaining loan from the bank. The first petitioner had further promised to return the same by selling her land in six months. It is alleged that on believing the words



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of the petitioners, the defacto complainant had given her gold jewels to the petitioners on 10.10.2023. Since the pledged jewels has not been returned to the defacto complainant, the defacto complainant gave a compliant before the respondent. Based on the said complaint, Crime No.636 of 2025 was registered by the respondent police. Hence, the present criminal original petition is filed.

3. The learned Counsel for the petitioners would submit that the petitioners were not involved in any of the offences as alleged by the prosecution. The petitioners are innocents and they are falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioners.



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5. Considering the nature of the allegations levelled against the petitioners and the dispute between the petitioners and the defacto complainant, this Court is inclined to grant an order of anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event



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of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate, Rajapalayam, Virudhunagar District, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent Police on Monday & Friday at 10.30a.m.until further orders.



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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(M J R J)
26.12.2025

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- 1.The Judicial Magistrate Court,
Rajapalayam, Virudhunagar District
- 2.The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.JOTHIRAMAN, J

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ORDER
IN
CRL OP (MD) No.23949 of 2025

Dated : 26.12.2025