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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.323 of 2026

1.Saravanan
2.Stalin @ Shanmugaraj

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
(Crime No.601 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.601 of 2025 on the file of the respondent police.

For Petitioners : M/s.Raji

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 296(b), 351(2) and 318(4) of BNS, 2023 in Crime No.601 of 2025 registered on the file of the respondent police seek anticipatory bail.



2. The allegation against the petitioners is that they are ranked as A1 & A2 in this case. It is alleged that the petitioners along with other accused collected a sum of Rs.4,50,000/- lakhs from the defacto complainant under the pretext of securing a Government Job and subsequently failed to do so and thereby cheated the defacto complainant. Hence, the complaint has been lodged and the case has been registered.

3. The learned counsel appearing for the petitioners submitted that the alleged occurrence took place in the year 2021 and that there was a money transaction between both parties. He further submitted that the said transaction has been suppressed and that a false complaint has been lodged on the pretext of securing a Government job. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that A2 and A3 collected a sum of Rs.4,50,000/- from the defacto complainant and that the said amount was subsequently handed over to A1. It was further submitted that only a sum of Rs.50,000/- has been repaid so far. He further submitted that the petitioners do not have any previous cases pending against them. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned



Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the nature of the allegations, the fact that the entire transaction is stated to have taken place in the year 2021, and the complaint has been lodged very recently, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Sankarapuram*** on condition that the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen 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 and on further condition that:

(a) 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, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

21.01.2026

drl

To

1.The Judicial Magistrate,
Sankarapuram.

2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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