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Crl.OP.No.409 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.409 of 2026

1. Aruna
2. Sivagami
3. Krishnamoorthi

... Petitioners

Vs.

State rep by its
The Inspector of Police,
DCB, Krishnagiri,
Krishnagiri District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of his
arrest in Cr.No.26 of 2025 pending investigation on the file of the
respondent police.

For Petitioners : Mr.P.M.Jayachandran

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 61 and 318(4) of BNS in Crime No.26 of 2025, on the file of the
respondent police seek anticipatory bail.

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2. The case of the prosecution is that the petitioners are the family members of the defacto complainant and that they joined hands with A1 in this case and collected the compensation amount paid to the defacto complainant without her knowledge, and withdrew a huge amount, thereby cheated her to the tune of Rs.30,00,000/-. Hence, the complaint has been lodged against the petitioners, pursuant to which the present petition has been filed.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the mother-in-law of the defacto complainant and that the second and third petitioners are also her relatives. Though it is stated that the petitioners have received money, they have already transferred a sum of Rs.8.50 lakhs into the defacto complainant's account. He further submitted that the petitioners are ready to cooperate with the investigation and are willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prayed that anticipatory bail be granted to the petitioners.

4. This Court directed the learned Government Advocate (Criminal Side) appearing for the respondent police to verify whether any repayment had been made. The learned Government Advocate, on verification,



submitted that A2 / first petitioner has repaid a sum of Rs.8.50 lakhs and that the other petitioners have not collected any amount from the defacto complainant.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations and the fact that A1, who is the main accused, has already been arrested and is in custody, 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 bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate-II, Krishnagiri*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) 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;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23.01.2026

Vv



Crl.OP.No.409 of 2020

To

1. The Judicial Magistrate-II, Krishnagiri

2. The Inspector of Police,
DCB, Krishnagiri,
Krishnagiri District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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