



Crl.O.P.No.449 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.449 of 2026

Sivagami

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
CCB, Tiruppur.
Crime No.26 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.26 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Thinesh

For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 of IPC read with Section 4(1) & 76(1) of The Chit Funds Act in Crime No.26 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that the petitioner along with his son Kumaravel involved in conducting unregistered chits and collected a sum of Rs. 80 lakhs from the defacto complainant and subsequently has not come forward to return back the money. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that, petitioner's son has already initiated civil suit for recovery of money and while so, the defacto complainant has lodged present false complaint as if the petitioner has to pay money and further submitted that there are lot of transaction taken place between the parties and according to the petitioner, defacto complainant has to pay money to the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned counsel appearing for the intervenor produced the copies of the receipts issued to him at the time of collecting chit amount and also the written statement filed by the defacto complainant before the Civil Suit. . He further submitted that the petitioner along with his son had cheated the defacto complainant to the tune of Rs.80 lakhs. He further submitted that, promissory note executed by the petitioner's son is a fabricated. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that investigation in this case is at preliminary stage and no money is recovered in this case. Hence, he opposed for grant of bail to the petitioner.

6. I have gone through the materials placed on record.

7. It revealed that, alleged transactions taken place prior to 2019 and thereafter exchange of legal notice for the purpose of demanding payment of money is also issued and in this regard, civil suits are also pending and also considering the period of incarceration, this Court is inclined to grant anticipatory bail to the petitioner.



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8. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Tiruppur** on condition that each of the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two **sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2026

sma

To

1. Judicial Magistrate No.I, Tiruppur.
2. The Inspector of Police,
CCB, Tiruppur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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