



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1026 of 2026

Sangeetha

..Petitioner(s)

Vs

The State Rep. by
The Inspector of Police,
Kandhili Police Station,
Thirupathur District.
(Crime No.336 of 2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending investigation in Crime No.336 of 2025 on the file of the Inspector of Police, Kandhili Police Station, Thirupathur and pass such further or other orders as this honourable court may deem fit and proper in the circumstances of the case.

For Petitioner(s): Mr.S.Shunmugavelayutham, Senior Advocate
For Mr.R.T.Vijayaraaghavan

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 09.12.2025 for the offence under Sections 314, 316, 318, 322 and 351(2) of the BNS, 2023 in Crime No.336 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner has come forward to give loan to the de facto complainant for a sum of Rs.3.5 crores and to ensure the repayment of the same, the petitioner demanded the execution of sale deed for the properties belonging to the de facto complainant in favour of the petitioners herein. Accordingly the sale deed was also executed by mentioning the total value of the property as Rs.26 lakhs and further the petitioners have also handed over the cheques for the total loan amount of Rs.3.5 crores. It is also been agreed between the parties that the de facto complainant shall return back the cheque and collect the money from the petitioner herein , accordingly, while de facto complainant approached the petitioners for payment of money, after returning the cheque, this petitioner have not come forward to get back the cheque and pay the money, thereby cheated. Hence case has been registered.

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sale deed itself Rs.26 lakhs has been recorded as value of the property and further the cheques were also alleged to have been issued and those cheques were not at all presented for encashment and after a delay of 9 months the complaint has been lodged and it is case of false accusation and allegations are borne out of records hence prays to grant bail.

4. The learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that the investigation is pending and opposed to grant bail and further submitted that the huge amount is cheated in this case and so far no money is recovered.

5. I have gone through the FIR and other connected materials which reveals that the de facto complainant herein has come forward to execute the sale deed in favour of the petitioner and mentioning the value of the property as Rs.26 lakhs. It is also stated that the cheques to the total value of 3.5 lakhs have been collected by the de facto complainant and it was not presented for honoring and it is also alleged that there was agreement that the cheque has to be handed over to the petitioner and the

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money has to be collected from them. But there is no explanation for non-presentation of cheque and also there is delay of 9 months in lodging the complaint and also considering the fact that the petitioner being a lady and allegations are borne out of records, further incarceration of the petitioner is not necessary, accordingly this Court is inclined to grant bail to the petitioner certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each** for a like sum to the satisfaction of the **Judicial Magistrate No.II, Thirupathur** and on further conditions that:

[a] 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;

[b] the petitioner shall appear before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter, on all hearing dates without fail;



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[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[e] the petitioner shall not abscond either during investigation or trial;

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

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

19-01-2026

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K.RAJASEKAR, J.

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To

1.The Judicial Magistrate No.II, Thirupathur

2. The Inspector of Police,
Kandhili Police Station,
Thirupathur District.

3. The Superintendent,
Central Prison for Women, Vellore

4. The Public Prosecutor,
High Court of Madras.

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