



WEB COPY

CRL OP No. 1562 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1562 of 2026

1. Kalaivannan
2. Surya
3. Rasathi

..Petitioner(s)

Vs

State. By the The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
(Crime No.700 of 2025)

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS Act to enlarge the petitioner on bail in the event of his arrest in Crime.No.700 of 2025 on the file of the Inspector of Police, Sankarapuram police station,Kallakurichi District pending investigation.

For Petitioner(s): Mr.S.Parameswaran

For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 318(4), 351(2) of BNS Act 2023 in connection with the Cr. No.700 of 2025, seeks anticipatory bail.

2. The allegation against the petitioners are that the first petitioner acting as an agent, received a sum of Rs.10,00,000/- as the salary amount of the defacto complainant's husband, which was credited to his account. However, the said amount was not paid to the defacto complainant. When the defacto complainant demanded repayment, the petitioners abused and intimidated her. Hence, the case.

3. Learned counsel for the petitioners submitted that petitioners are innocent, and they have been falsely implicated by the respondent police. He further submitted that petitioners have not committed any offence and there was no dishonest intention on their part. It is further submitted that the petitioners are ready to cooperate with the investigation and abide by any condition that may be imposed by this court. Hence, he prays for grant of anticipatory bail to the petitioners.



4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that during the course of investigation it revealed that 1st petitioner had received a sum of Rs.10,00,000/- in his account and failed to repay to the defacto complainant despite repeated demands. Hence, she vehemently opposed for grant of anticipatory bail to the petitioners.

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

6. A specific allegation is made against the 1st petitioner that he had received a sum of Rs.10,00,000/- and failed to return the same. In view of the prima facie materials and the stage of investigation, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, the Criminal Original Petition insofar as the 1st petitioner is concerned, stands dismissed.

7. Considering the other facts and circumstances of this case and the overtact leveled against the 2nd and 3rd petitioners, this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners, subject to following conditions.

8. Accordingly, the 2nd and 3rd 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 ready, before the learned



Judicial Magistrate, Sankarapuram 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] the 2nd and 3rd petitioners shall report before the respondent Police, daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the 2nd and 3rd petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the 2nd and 3rd petitioners shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

JAI

03-02-2026



To

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

2. The Judicial Magistrate, Sankarapuram.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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