



Crl.OP.No.3627 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.3627 of 2026

M.Selvan

... Petitioner

Vs.

State by:

The Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupathur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioner in the event of his arrest in Cr.No.16 of 2026 on the file of the respondent, Vaniyambadi Taluk Police Station, Thirupathur District

For Petitioner : Mr.Thamizharasi Sundaramoorthy

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 316(4), 318(4), 336(3) and 340(2) of BNS in Cr.No.16 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The allegation against the petitioner is that while he was working under the trust, he has paid Rs.1.44lakhs towards his EPF amount, though he was retired from service, thereby the petitioner has misused his official position and enriched himself by diverting the funds to his EPF account, which led to registration of the case. Hence, the present petition has been filed seeking anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that the tenure of the petitioner was extended for some more years , since there was administrator was looking into the affairs of the trust. He has also been directed to pay the EPF, accordingly, he has paid, hence, there is no misappropriation as alleged by the prosecution. He further submitted that he has completed 28 years of service. He further submitted that the petitioner is ready to cooperate for the investigation and also ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that investigation in this case is pending. Hence, he vehemently opposed the grant of anticipatory bail.



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5. I have also gone through the records and other connected materials which reveals that the petitioner has paid EPF amount of Rs.1.44lakhs and even after the retirement, it is alleged that he had served some more years.

6. Considering the above facts and the custodial interrogation for investigating the petitioner is not necessary in this case. Though investigation is pending in this case, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate Court, Vaniyambadi** on condition that the petitioner shall execute a bond 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 petitioner 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 petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

16.02.2026

Vv

To

- 1.The Judicial Magistrate Court, Vaniyambadi
- 2.The Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupathur District.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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