



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4186 of 2026

Vimala

..Petitioner

Vs

The State,
Represented by the
Inspector of Police,
Needamangalam Police Station,
Thiruvavarur.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in the event of his arrest in Crime No.16 of 2026 on the file of the respondent/police.

For Petitioner: Mrs.A.Vinupradha

For Intervener: Mr.D.Veerasekharan

For Respondent: Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 316 and 318 of BNS Act, 2023 in Crime No.16 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant alleged that in the year 2019, the petitioner borrowed a sum of Rs.1,00,000/- from him for



sending her son abroad for employment. It is further alleged that thereafter the petitioner borrowed money on several occasions and failed to repay the same.

The defacto complainant made repeated demands for repayment and since the amount was not repaid, he lodged a complaint.

3. The learned counsel appearing for the petitioner submitted that the defacto complainant is the relative of the petitioner and they have known each other for more than 25 years. According to the petitioner, she had borrowed only a sum of Rs.1,00,000/- for sending her son abroad and the same has already been repaid in instalments through cash and bank transfers to the account of Ajay Kumar, the son of the defacto complainant. It is further submitted that despite receiving the amount, the defacto complainant is making repeated demands for more money. Therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervener submitted that this is a case of loan transaction between the defacto complainant and the petitioner and that the petitioner had borrowed a sum of Rs.14,00,000/- from the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. The learned counsel appearing for the petitioner disputed the same and submitted that only Rs.1,00,000/- was borrowed and the same has been repaid.



6. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner had received a sum of Rs.14,00,000/- from the defacto complainant on a false promise that the son of the defacto complainant would be sent to Singapore. Hence, he opposed to grant anticipatory bail to the petitioner.

7. I have given anxious consideration to the submissions made by the learned counsel on either side.

8. From the submission of the learned counsel on either side, the dispute appears to arise out of a monetary transaction between the parties. At this stage, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Further, taking into consideration the gender of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Needamangalam**, 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 of the learned Magistrate concerned, and on further conditions:

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(a) If the petitioner fails to surrender before the concerned learned 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, everyday at 10.30 a.m., for a period of eight 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09-03-2026

NSL



To

1. The Inspector of Police,
Needamangalam Police Station,
Thiruvavarur.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate, Needamangalam.



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C.KUMARAPPAN, J.

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