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CrI.OP.No.4852 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No.4852 of 2026

Livingston

... Petitioner

Vs.

State rep by:

The Inspector of Police,
T1, Tambaram Police Station,
Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to grant bail to the petitioner/A2 in the event of
his arrest in connection with the case in Cr.No.543 of 2025 on the file of the
respondent police.

For Petitioner : Mr. Mohamed Ziauddin

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under
Sections 61(2), 318(4), 336(2) and 336(3) in Cr.No.543 of 2025 on the file
of the respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner herein is ranked as A2 in this case and he joining hands with A1 availed a car loan for a sum of Rs.14,00,000/- from Shriram Finance and by suppressing the earlier loan, A1 colluded with A3 availed another loan for Cholamandalam Finance for a sum of Rs.16,00,000/- and it was came to light to Sriram Finance, and complaint has been lodged against the petitioner. Hence, the present petition has been filed seeking anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only guarantor for the first loan and he has not involved in availing second loan. Hence, the petitioner shall not be made an accused in this case. 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 (Crl.Side), appearing for the respondent police, reiterated the prosecution case and submitted that the A3/ the petitioner's husband and A1 were already arrested and released on bail and the herein is ranked as A2 and investigation in this case is pending. Hence, he vehemently opposed the grant of anticipatory bail.

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



6. Considering the nature of allegations and the fact that the petitioner is neither a borrower or guarantor for the second loan, 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-I, Tambaram** 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.

26.02.2026

Vv

To

- 1.The Judicial Magistrate-I, Tambaram
- 2.The Inspector of Police,
T1, Tambaram Police Station,
Chennai.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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