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Crl.O.P.No.4897 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.4897 of 2026

1.P.Kumaravel

2. K.Sasikala

... Petitioners

Vs.

State represented by
The Inspector of Police,
Puliampatti Police Station,
Erode District.

Crime No.33 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of his arrest by the respondent police in the above Cr.No.33 of 2026 on the file of the respondent.

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 420, 506(i) of IPC, in Crime No.33 of 2026 on the file of the respondent police seeks anticipatory bail.



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2. The allegation against the petitioners is that under the false promise of supplying scraps, the 1st petitioner has received Rs.25 lakhs from the defacto complainant through Bank, 2nd petitioner received Rs.10 lakhs from the defacto complainant through Bank and apart from that, he also received Rs.5 lakhs by way of cash and thereby cheated him. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners neither returned nor given the scrap. He further submitted that if the petitioners are enlarged on bail, it would be too difficult to recover the amount as they may tamper the witness and hence, he opposed for grant of anticipatory bail to the petitioner.



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5. The learned counsel appearing for the intervenor submitted that in order to induce the defacto complainant to make payment, petitioners have shown the scrap which was not at all owned by them and apart from that if the petitioners are granted anticipatory bail, it would be too difficult to get back the money. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the totality of the above circumstances and upon the fact that though the occurrence took place from 23.04.2024 to 26.04.2024, the FIR was registered on 31.01.2026, and at this length of time, custodial interrogation of the petitioner is not required, hence this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 is made ready, before the **learned Judicial Magistrate, Sathyamangalam, Erode District** on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of thirty days 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. Judicial Magistrate, Sathyamangalam, Erode District

2. The Inspector of Police,
Puliampatti Police Station,
Erode District.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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