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CRL OP No. 5662 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5662 of 2026

Sharmila

..Petitioner

Vs

The State rep. by
The Inspector of Police,
CCB Police Station,
Tiruppur City.
Crime No.20 of 2025.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.20 of 2025 on the file of the respondent police.

For Petitioner:

Mr.J.Franklin

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.01.2026 for the alleged offences under Sections 61(2), 318(4) of Bharatiya Nyaya Sanhita, 2023 & Sections 120B & 420 of Indian Penal Code, 1860 in Crime No.20 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is doing yarn trading business in the name of Meru Enterprises. In March 2025, one



Lokesh Naidu and the petitioner approached the defacto complainant for doing business. They were introduced to the defacto complainant by one Balakrishnan, an employee of the defacto complainant. The said Lokesh Naidu and the petitioner were doing business of manufacturing Baniyan fabrics under the brand name Sri Vinayaka Garments. On 13.03.2025, Lokesh Naidu sent a purchase order to the defacto complainant and the defacto complainant supplied yarn materials. Likewise, several purchase orders were sent and the defacto complainant supplied materials. For the said transactions, payments were made to the account of the defacto complainant in HDFC Bank, Tambaram Branch. From 17.03.2025 to 20.05.2025, the defacto complainant supplied yarn worth about Rs.5,44,37,132/-. Out of the said amount, Sri Vinayaka Garments paid a sum of Rs.2,67,90,240/-. For the remaining amount of Rs.2,76,46,792/-, several cheques were issued, which were returned due to insufficient funds.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged. It is further submitted that she has been running a business in the name of Sri Vinayaka Garments as a proprietor since the year 2020. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that as per the statement of accounts, the petitioner had



purchased yarn worth about Rs.5,39,37,032/- and out of which she has paid about Rs.2,61,46,792/-. In respect of the said statement of accounts, there is no serious dispute. Hence, he opposed to grant bail to the petitioner.

5. The learned counsel appearing for the intervener submitted that they have received more than Rs.2 crores from the petitioner. However, it is contended that the petitioner is following the same modus operandi and that there are about two cheque bounce cases pending and also one complaint pending before the police station.

6. The learned counsel appearing for the petitioner disputed the said contention and submitted that the complaint has already been closed.

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

6. From the submissions of the learned counsel on either side, it is seen that there were business transactions between the petitioner and the defacto complainant from 17.03.2025 to 24.07.2025. It is also seen that the petitioner was remanded to judicial custody on 30.01.2026 and she has been in custody since then. Though the learned Government Advocate (Crl.Side) submitted that the investigation is still in progress, considering the facts and circumstances of



the case, this Court is of the view that no more custodial interrogation is necessary at this stage. Further, considering the petitioner is a woman, this Court is inclined to enlarge the petitioner on bail subject to stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the *learned Judicial Magistrate No.II, Tiruppur*, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of one month and thereafter appear before the respondent police at 10.30 a.m. for a further period of two weeks and as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on



bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate-II, Tirupur
2. The District Jail Women Prison Tiruppur,
3. The Inspector of Police, CCB Police Station, Tiruppur City.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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