



WEB COPY

CRL OP No. 5786 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-03-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 5786 of 2026**

Mallika  
W/o.Shanmuagam,  
51 Vijaya Nagar Arivoli Nagar,  
Pollachi-642 002.

..Petitioner(s)

Vs

The State rep.by,  
Inspector of Police,  
Negamam Police Station,  
Coimbatore District.  
Cr.No.284 of 2025.

..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Cr.No.284 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s):

Mr.T.Balaji

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

### **ORDER**

The petitioner, who apprehends arrest for the alleged offence under Section 3(5), 61(2) and 318(4) of BNS in Crime No.284 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner /A2 introduced A1 – one Rubini to the defacto complainant. The defacto complainant approached A1 for loan purpose and she agreed to pay commission to A1. The defacto complainant introduced 180 customers to A1, but the loan was not sanctioned to the defacto complainant and his introducers. Thereby cheated the defacto complainant. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is also a victim. However, she has been arrayed as accused in this case.

4. At this juncture, learned Government Advocate would submit that A1 claiming himself that he would arrange for loan and whoever referring any person is eligible for commission and in this way this present petitioner abducted the chit of the first petitioner and also received huge sum as commission and she knowing fully well about the conduct of the first petitioner has involved in the commission of offence. Though the learned Government Advocate would strongly opposed by referring the above submissions, while looking at the factual position the occurrence took place on 02.11.2025 and that the first accused has already released on bail in CrI OP No.1544 of 2025 dated 19.01.2026 granted by this Court.



5. Considering the factual position and also upon the ground that the petitioner being a woman and furthermore at this length of time no more custodial interrogation of the petitioner is required, this Court is inclined to enlarged on her bail, subject to certain conditions.

6. 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 is made ready, before the **learned Judicial Magistrate Court No.II, Pollachi**, 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:

(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 morning at 10.30 a.m., and evening 05.30 p.m., for a period of thirty days and as and when required;**

(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.

13-03-2026

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

MTL

To

1. The State rep.by,  
Inspector of Police,  
Negamam Police Station,  
Coimbatore District.
2. The Judicial Magistrate -II, Pollachi.
3. The Public Prosecutor, High Court, Madras.



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**C.KUMARAPPAN, J.**

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