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Crl.O.P.No.5938 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.5938 of 2026

1.Vijayalakshmi

2.Siva Selvi

... Petitioners

Vs.

State Rep by,

Inspector of Police,

Vigilance and Anti-Corruption Police Station,

Tiruppur District.

(Crime No.01/AC/2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No. 01/AC/2026 on the file of the respondent police.

For Petitioners : Mr.Sudhakar Kannusamy

For Respondent : Mr.P.Dhileepan

Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 167, 409, 465, 468, 471, 477-A r/w 109 of IPC and 13(1)(a) r/w 12 of Prevention of Corruption Act, 1988 as amended in 2018 in Crime No.01/AC/2026** , on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioners being public



servants engaged in financial misconduct. A1, serving as Block Medical Officer for Madathukulam Block, was authorized to operate the Single Nodal Account and holding accounts of the Primary Health Centre, Kaniyur for disbursing Government funds. A2 provided active assistance to A1 in financial administration. It is alleged that during the period between 08.04.2019 and 28.11.2023, A1 with A2's assistance, withdrew a total sum of Rs.32,75,895/- from the Government accounts maintained at Canara Bank and Indian Overseas Bank. Out of the total withdrawals, vouchers worth Rs.8,22,200/- were verified as legitimate. The balance sum of Rs.24,53,695/- was allegedly supported by forged bills in the names of various firms. It is further alleged that an additional sum of Rs.1,11,000/- was misappropriated through fabricated bills in the name of a contractual driver, bringing the total alleged misappropriation to Rs.25,64,695/-. Hence, the case.

3. The learned counsel for the petitioners submitted that they are innocent and they are not committed any such offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that already A1 has repaid a sum of Rs.24,53,695/- and that they are ready to abide by any stringent conditions that may be imposed by this Court and also ready to co-operate with the investigation. 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's case and upon instructions submitted that a total sum of Rs.25,64,695/- has been misappropriated by the petitioners. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. From the submissions made by the learned Government Advocate (Crl.Side) and even according to the First Information Report, the so called alleged misappropriation amount of Rs.25,64,695/- was repaid by A1. The learned counsel for the petitioner would submit that A1 is 59 years old and a Doctor by profession.

7. Considering the fact that the first petitioner has already deposited the misappropriated amount, the question of custodial interrogation of the first petitioner does not arise and the second petitioner being women, this Court is inclined to enlarge them on anticipatory bail subject to certain conditions:

8. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before



the learned Principal District and Sessions Judge, Tiruppur, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of four 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 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]*;



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(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To:

- 1.The Principal District and Sessions Judge, Tiruppur.
- 2.The Inspector of Police, Vigilance and Anti-Corruption Police Station, Tiruppur District.
- 3.The Public Prosecutor, High Court of Madras.

C.KUMARAPPAN, J.

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