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CRL OP No. 5847 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. 5847 of 2026

Nithish
S/o.Kumar,
No.150, Nallan Street,
Periyapettai,
Vaniyambadi Taluk,
Tirupathur District.

..Petitioner(s)

Vs

State rep.by,
The Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi,
Vellore District.
Cr.No.41 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of her arrest in Cr.No.41 of 2026 on the file of the Inspectoro of Police, Vaniyambadi town Police Station, Vaniyambadi, Tirupathur District.

For Petitioner(s): Mr.Vinodh Kumar

For Respondent(s): Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 316(5) and 318(4) of BNS of 2023 in Crime No.41 of 2026 on the file



of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant, one Sarathbabu who is Manager of Five Star Business Finance had lodged a complaint against the petitioner before the respondent police stating that the petitioner had misappropriated funds of the said finance. Hence the case.

3. According to the prosecution, the petitioner was working as an employee in the defacto complainant's finance and that while receiving deposit the petitioner had misappropriated sum of Rs.4,37,507/-. However, the learned counsel for the petitioner would submit that he is no way connected with the said offence. It is his submission that as and when he received the deposit he gave it to the company and the company has not given credit. However, they have falsely implicated this petition.

4. While looking at the FIR, it was registered on 31.01.2026 and taking into consideration of the position of the petitioner in the defacto complainant's finance and taking into consideration of the registration of the FIR in the year of January, 2026, at this length of time no more custodial interrogation of the petitioner is required. Hence, this Court is inclined to enlarged on him bail, subject to certain conditions.



5. 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, Vaniyambadi**, 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***



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Kerala [(2005) AIR SCW 5560];

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

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MTL

To

1. The Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi,
Vellore District.

2. The Judicial Magistrate Court, Vaniyambadi.

3. The Public Prosecutor, High Court, Madras.



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C.KUMARAPPAN, J.

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