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Crl.O.P.No.5955 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5955 of 2026

C.Selvam

... Petitioner

Vs.

State rep by
The Inspector of Police,
T-15, Kannagi Nagar Police Station,
Kannagi Nagar, Pallikaranai,
Chennai District.
(Crime No. 23 of 2026)

... Respondent

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 arrest in Crime No.23 of 2026 on the file of the respondent police.

For Petitioner : Mr.P.Rajavel

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections
316(2) and 318(4) of BNS, 2023 in Crime No.23 of 2026 on the file of the
respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner, along with other accused, cheated the defacto complainant with regard to the mortgage of a car and thereby caused a loss to the defacto complainant to the tune of Rs.2,50,000/-. Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and that he is ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner along with other accused had cheated the defacto complainant to the tune of Rs.2,50,000/-. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel for the petitioner, it appears that the entire issue involved around money transaction between the defacto complainant and the petitioner. The learned Government Advocate (Crl.Side) submitted that there are three accused involved in this case and that the third accused, Mani (A3), had mortgaged the car with the defacto



complainant. Though the defacto complainant discharged the loan amount, instead of returning the car to the defacto complainant, A3 allegedly handed over the car to the petitioner, and the petitioner again mortgaged the same, thereby cheating the defacto complainant. From the above narration of the incident, this Court is of the view that the allegations do not require custodial interrogation of the petitioner. Further, considering the fact that the FIR was registered on 25.01.2026 and taking into account the nature of allegations and the fact that custodial interrogation of the petitioner is not required, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

7. 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 District Munsif and Judicial Magistrate Court, Shozhinganallur, Chennai District**, 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;



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Crl.O.P.No.5955 c



(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 Concerned Judicial Magistrate daily at 10.30 a.m. and 5.30 p.m, until further orders;

(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.

09.03.2026

DRL



To

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1.The District Munsif and Judicial Magistrate Court,
Shozhinganallur, Chennai District.

2.The Inspector of Police,
T-15, Kannagi Nagar Police Station,
Kannagi Nagar, Pallikaranai,
Chennai District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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