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CRL OP No. 6060 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6060 of 2026

Sathish Kumar. G

..Petitioner

Vs

The State Represented by,
The Inspector of Police,
MKB Nagar Police Station,
Pulianthope, Chennai - 600 029.
Cr.No.105 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of arrest in connection with Crime No.105 of 2026 on the file of the respondent

For Petitioner: Mr.A.S.Neela Narayani

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 316(2), 318(4), 296(b) and 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 corresponding under Section 406, 420, 294(b) and 34 in Indian Penal Code, 1860 in Crime No.105 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant approached M/s. C.S. Enterprises and obtained a loan by mortgaging the RC book of his vehicle. It is alleged that thereafter further loan transactions were made without his knowledge and amounts were credited to his account. It is further alleged that the RC book was not returned to him and that the present petitioner, who was working as the Branch Manager of Shriram Finance Limited had acted in collusion with the first accused, who was running C.S. Enterprises, thereby cheating the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit the petitioner being the branch manager of Shriram Finance Private Limited, has been falsely implicated in this case and that the vehicle was mortgaged by the first accused, pursuant to which a loan agreement was entered into with the defacto complainant. It is also submitted that the entire dispute arises out of a loan transaction between the finance company and the defacto complainant and that the matter is purely contractual in nature. Hence, the learned counsel seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner had colluded with the first accused in the loan transaction and thereby cheated the defacto complainant. Therefore, he opposed the grant of anticipatory bail to the petitioner.



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

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6. From the submission of the learned counsel on either side, it appears that there exists a loan transaction between the finance company and the defacto complainant. The materials placed before this Court would show that the dispute between the parties appears to have been arisen out of contractual obligations in respect of the loan transaction. Considering the nature of the allegations and the materials available on record, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Therefore, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 X Metropolitan Magistrate, Egmore, Chennai – 08**, 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, everyday at 10.30 a.m., for a period of two 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 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

NSL



To

1. The Inspector of Police,
MKB Nagar Police Station,
Pulianthope, Chennai - 600 029.

2. The Public Prosecutor
High Court of Madras.

3. The X Metropolitan Magistrate, Egmore, Chennai- 08.



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C.KUMARAPPAN, J.

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