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CRL OP No. 6350 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6350 of 2026

1. GP Dhevikala aliase Sakthidevikala
2. P.Sampath Kumar
3. G.Padmanabhan

..Petitioner(s)

Vs

State rep.by,
The Inspector of Police (Crime),
R-10 Police Station,
MGR, Chennai-78.
(R-10 Cr.No.16/2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioners on anticipatory bail in the event of arrest in R-10 Cr.No.16/2026 on the file of the Inspector of Police (Crimes), R-10 Police Station, MGR Nagar, Chennai-78.

For Petitioner(s) : Ms.DN.Dhurgasha
For Respondent(s) : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Murugavel

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 406 and 420 of IPC, 1860 in Crime No.16 of 2023, seek anticipatory bail.

2. It is the case of the prosecution that though the de facto complainant



has entrusted gold jewellery weighing 123 grams to the petitioners, the said jewellery was not returned to the de facto complainant. Hence the case.

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3. The learned counsel for the petitioners submits that the de facto complainant is a tenant under the petitioners since 2019 and that there were arrears of rent payable by the de facto complainant, whileso, A1 had also filed a suit for recovery of rent by way of defence and in order to overcome the claim made by the petitioners, the de facto complainant had given a false complaint before the respondent police, as if the petitioners have not returned the gold jewellery of about 123 grams which was entrusted with the petitioners for the safe custody. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The said contention was reiterated by the learned Government Advocate (Crl.Side) and submitted that in pursuance of the directions issued by the learned Magistrate, enquiry has been conducted and the investigation is still in progress.

5. I have given anxious consideration to the submissions made by the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent and the submissions made by the intervenor.



6. From the submissions made by the learned Government Advocate (Crl.Side) and the intervenor, this Court is of the view that at this length of time no custodial interrogation is required and also taking note of the fact that the third petitioner is an aged person, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on 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 is made ready, before the **learned II Metropolitan Magistrate, Egmore, Chennai - 08**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- each (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 petitioners fail 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 petitioners 1 and 2 shall report before the respondent Police, daily at 10.30 a.m. and 5.30 pm., for a period of four weeks and thereafter, as and when required for interrogation;**



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C.KUMARAPPAN, J.

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(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]***;

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

12-03-2026

RAP

To

1. The Inspector of Police (Crime),
R-10 Police Station,
MGR,
Chennai-78.

2. The II Metropolitan Magistrate, Egmore, Chennai – 08.

3. The Public Prosecutor,
High Court, Madras.

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