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CRL OP No. 6450 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6450 of 2026

1. Rakshnaa

2. Sivagami

..Petitioner(s)

Vs

State Rep. by
The Inspector of Police, DCB, Cuddalore.
Cr.No. 8/2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioners on bail in the event of the arrest in Cr.No.8 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.M.N.Balakrishnan

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

ORDER

The petitioners apprehend arrest for the alleged offence under Section 420 of IPC, 1860 r/w. Sections 76(1) and 4(1) of the Chit Funds Act, 1982 in Crime No.12 of 2026, seek anticipatory bail.

2. It is the case of the prosecution that the petitioners are the daughter and wife of the first accused. It is alleged that all the accused conspired together by



collecting Rs.11,00,000/- from 82 members by way of a Diwali chit scheme and thereby committed the offence of cheating.

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3. The learned counsel for the petitioners submits that the petitioners are no way connected to the aforesaid offences as the business was in the name of the husband of the second petitioner namely Mariappan. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners have misappropriated a sum of Rs.11,00,000/- from 82 members by way of a Diwali chit scheme. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. The contentions of the learned counsel for the petitioners that though the offence of cheating against 82 persons is serious in nature, they have no role to play in conducting the chit as it was undertaken by the husband of the second petitioner. The said contention cannot be outrightly denied and apart from that, the petitioners are women and taking into consideration the gender and extent of



role played by the petitioners, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

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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 Judicial Magistrate No.I, Cuddalore**, 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 shall report before the respondent Police, daily at 10.30 a.m. and 5.30 pm. 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 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

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To

1. The Inspector of Police, DCB, Cuddalore.
2. The Judicial Magistrate No.I, Cuddalore.
3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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