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Crl.O.P.No.9133 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.9133 of 2026

T.Thiyagu

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Sankari Police Station,
Salem District.
(Cr.No.267/2023)

... Respondent

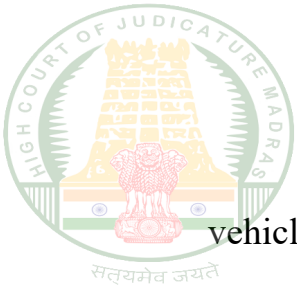
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to the petitioner/accused in the event of arrest by the respondent Police, pending investigation in Cr.No.267 of 2023 on the file of the respondent Police.

For Petitioner : Mr.Mario Johnson Dominic

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 420, 467, 468 and 471 of IPC in Crime No.267 of 2023, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that A1 and A2 have handed over the vehicle and by pledging the vehicle, received a sum of Rs.21,00,000/- from the de-facto complainant, and subsequently, it was revealed that by tampering with the engine and chassis number, the petitioner along with other accused handed over the vehicle to the de-facto complainant, which was already under hypothecation with the original financier, Shri Ram Finance, and thereby cheated Rs.21,00,000/-. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.

5. From the submissions made by the learned counsel appearing on either side, it is seen that the First Information Report has been registered against the



petitioner on 22.06.2023. The case of the prosecution is that the petitioner had received a sum of Rs.21,00,000/- from the de facto complainant on the promise of providing a vehicle, whereas the said vehicle had already been hypothecated with Shri Ram Finance, and thereby, the petitioner is alleged to have cheated the de facto complainant. However, on a consideration of the factual position, it is seen that the First Information Report came to be registered on 22.06.2023 and, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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-1, Sankari** 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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(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, daily 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.

10.04.2026

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To

1.The Judicial Magistrate-1, Sankari.

2.The Inspector of Police,
Sankari Police Station,
Salem District.

3.The Public Prosecutor, High Court of Madras.

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C.KUMARAPPAN.J.

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