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CRL OP No. 7310 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7310 of 2026

Muruganantham Ponnusamy

..Petitioner

Vs

State represented by,
The Inspector of Police,
Kovilampalayam Police Station,
Coimbatore District.
Crime No.73 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of his arrest or on appearance before any Court in connection with the case in Crime No.73 of 2026 on the file of the respondent police.

For Petitioner:

Mr.J.Aravind

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 306 of Bharatiya Nyaya Sanhita, 2023 in Crime No.73 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is the Manager of Poly Pipes India (P) Limited, Coimbatore a company engaged in the business of importing PVC resins and limestone. The petitioner served as



the Store Manager and Transport Manager under the de facto complainant.

During annual audits conducted on 25.01.2024 and 21.02.2026, it was allegedly found that the petitioner had misappropriated 52.5 tonnes of PVC resin raw materials, valued at approximately Rs.37,50,000/-. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case without any basis. It is submitted that there is absolutely no material to show that the petitioner had misappropriated the alleged materials or sold the same for personal gain. However, the petitioner is ready to cooperate with the investigation and is ready to abide by any condition imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police strongly opposed the bail application on the ground that FIR was registered on 02.03.2026 and that this petitioner being the employee of the defacto complainant committed the theft worth about Rs.37,50,000/- .

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



6. Considering the submissions of the learned counsel for both sides, it is observed that the petitioner has committed a theft amounting to approximately Rs.37,50,000/-. According to the prosecution, this misappropriation was discovered only during annual audits conducted on 25.01.2024 and 21.02.2026. In the present factual scenario, given that the entire issue revolves around documentary evidence and considering 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 the following 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 cum Judicial Magistrate, Annur, Coimbatore**, 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 twice a day at 10.30 a.m. and 05.30 p.m. for a period of one month 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.

8. It is made clear that no petition seeking relaxation of the above conditions shall be entertained within a period of sixty (30) days from the date of release of the petitioner.

24-03-2026

NSL



To

1. The Inspector of Police,
Kovilampalayam Police Station, Coimbatore District.

2. The Public Prosecutor High Court of Madras.

3. The District Munsif cum Judicial Magistrate, Annur, Coimbatore,



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C.KUMARAPPAN, J.

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