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Crl.O.P.No.8249 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8249 of 2026

Kamaraj, S/o.Solaimuthu

... Petitioner

Vs.

State by
Inspector of Police,
Venganur Police Station,
Ariyalur District,
(Crime No.08 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his by the respondent police concerned in crime No.08 of 2026 on the file of the Inspector of Police, Venganur Police Station, Ariyalur District.

For Petitioner : Mr.A.V.Raja
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4), 229 of BNSS, 2023 in Crime No.08/2026, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner is the brother of the de-facto complainant. The de-facto complainant handed over two lorries to the petitioner for earning income for the family. However, the petitioner herein sold one lorry and paid Rs.15 lakhs and the remaining money was misappropriated by him. Later, it was found that the another lorry was involved in a criminal case and after, the lorry was released from the Court, the same is now in the possession of the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that due to certain family misunderstandings, a false complaint has been given against him. 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 submitted that the de-facto complainant owned two lorries, since he fell sick, taking advantage of the health condition of the de-facto complainant, the petitioner created false document and executed a sale receipt in favour of another brother's wife. He



fairly submits that the lorry was now in the custody of the Police Station.

Hence, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the subsequent development and taking note of the fact that the lorry, which was cheated by the petitioner was again handed over to the police, this Court is of the view that, the custodial interrogation is not warranted. 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 Court -II, Ariyalur**, 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;



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(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m. for a period of 15 days;

(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.

02.04.2026

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To

- 1.The Judicial Magistrate -II, Ariyalur.
- 2.The Inspector of Police, Venganur Police Station, Ariyalur District,
- 3.The Public Prosecutor, High Court of Madras.

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