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CRL OP No. 7617 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7617 of 2026

1. J.Rajendra Prasath
2. J.Dhandapani
3. S.Jayakumar
4. M.Krishnamoorthi

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by The Inspector of Police,
Ammamet Police Station,
Ammamet, Salem District.
(Crime No. 75 of 2026)
2. The Inspector of Police,
Central Crime Branch,
Salem City,
Salem District.

..Respondent(s)

P.Sivanantham

..Intervener(s)

[Permitted to intervene vide order dated 09.04.2026 made
in Crl.M.P.No.6526/2026 in Crl.O.P.No.7617/2026]

Criminal Original Petition has been filed under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioners on



anticipatory bail in the event of their arrest pending investigation in Crime No. 75 of 2026, on the file of Inspector of Police, Ammapet Police Station, Salem District.

For Petitioner(s):	Mr.Selvaraj K
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Criminal Side)
For Intervener(s):	Mr.R.John Sathyan Senior Counsel For Mr.K.Prabakar

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for offences punishable under Sections 296(b), 316(4), and 318(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. 75 of 2026 (subsequently renumbered as CCB Crime No. 7 of 2026), seek anticipatory bail.

2. According to the prosecution, the petitioners allegedly took several documents relating to the College and the Trust, including three minutes books of the Vysya Trust and Vysya College, on 08.11.2025 and have failed to return the same. Hence, the present case.

3. The learned counsel for the petitioners would submit that the first petitioner is a trustee of Vasavi Vidya Vysya College, where the de facto



complainant currently serves as President. It is further submitted that the F.I.R. was filed solely as a means to recover the college's minutes books. However, the petitioners would contend that these books were handed over to the Principal on 28.06.2025, supported by signed receipts produced before this Court. Furthermore, the learned counsel pointed out that the defacto complainant has filed a civil suit in O.S.No.246 of 2026 before the Principal District Judge, Salem, seeking to remove the petitioner from his trusteeship. The petitioners have also filed a cross-complaint regarding alleged misdeeds committed by the de facto complainant.

4. Countering these submissions, the learned Senior Counsel appearing on behalf of the defacto complainant/intervener argues that while the initial complaint specifically mentioned the minutes books, the ongoing investigation has unearthed a misappropriation of funds by the petitioners totalling approximately Rs.15 Crore. He pointed to the evidence of financial misconduct, such as billing the trust for the body-building of five vehicles despite the trust only possessing four chassis. He vehemently contended that custodial interrogation is essential to trace out the misappropriated funds and, therefore, opposed the bail application.

5. This stance was reiterated by the learned Government Advocate (Criminal Side), appearing on behalf of the respondent/Police, who stated that



the F.I.R. has been transferred to the CCB Salem and is currently under investigation.

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

7. Though the learned Senior Counsel submitted that the investigation reveals a misappropriation of Rs.15 Crore, it must be noted that the FIR itself does not disclose these specific allegations. Additionally, it is admitted that the defacto complainant has filed a civil suit in O.S.No.246 of 2026 to remove the petitioner from the trusteeship. Unless a competent Court grants a declaration removing him, the petitioner continues to hold his position as a trustee.

9. In this scenario, the primary issue for consideration is the return of the three minutes books. Since the petitioners have produced a receipt signed by the College Principal acknowledging delivery of the records, this Court is of the firm view that custodial interrogation is not required. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

10. 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.5, Salem, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner(s) 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(s) 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) the petitioner(s) shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the



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petitioner(s) 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]***;

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

09-04-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni



To

- 1.The Judicial Magistrate No.5, Salem.
- 2.The Inspector of Police, Ammapet Police Station, Ammapet, Salem District.
- 3.The Inspector of Police, Central Crime Branch, Salem City, Salem District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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