



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7993 of 2026

and

CRL MP No. 7393 of 2026

Gopinath.P

..Petitioner

Vs

State by
The Inspector of police,
V1, Villivakkam Police Station,
No. 204, M.T.H Road, Villivakkam
Chennai-600049.
Crime No. 89/2026.

..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 arrest by the Respondent police in the case pending investigation in Crime No. 89 of 2026, on the file of the Respondent police.

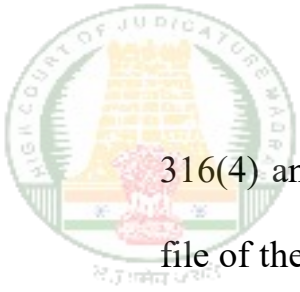
For Petitioner: M/S. Sangeetha V

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

For Intervenor: Mr.V.Shankar

ORDER

The petitioner apprehends arrest for the alleged offence under Sections



316(4) and 318(4) of Bharatiya Nyaya Sanhita in Crime No.89 of 2026 on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner is working as System Operation in a firm, where he misappropriated money to the tune of Rs.11,58,000/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and that he has been falsely implicated in this case. She further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, she prays 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 alleged occurrence took place between 01.05.2025 and 13.09.2025. According to the prosecution, the total misappropriated amount is to the tune of Rs.23,15,637/- and out of which the petitioner has returned Rs.11,78,000/-. He further submitted that the remaining amount is yet to be recovered from the petitioner. Unless the petitioner is taken custody such amount could not be recovered. Hence, he opposed to grant anticipatory bail to the petitioner.



5. The said contention was totally objected by the learned counsel for the petitioner and submitted that the petitioner was illegally detained by the de facto complainant's AGM and submitted that certain letters of undertaking were forcibly obtained from the petitioner. She further submitted that the entire case is a false case.

6. The learned counsel for the Intervenor also reiterated the submission made by the learned Government Advocate (Crl.Side). He further submitted that the petitioner has misappropriated the amount of 80 customers and also given undertaking before the Police to repay the same.

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

8. Considering the totality of the circumstances, the allegation against the petitioner is that he has misappropriated certain amount, the entire misappropriation was identified while auditing the accounts. The occurrence took place on 01.05.2025 and 11.09.2025 and the FIR came be registered on 15.02.2026. Considering the nature of allegation and the charge against the petitioner, this Court is of the firm view that at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.



9. 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 XIII Metropolitan Magistrate Court, Egmore**, 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, everyday at 10.30 a.m. and 05.30 p.m, for a period of thirty days 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.

21-04-2026

SHL

To:

1. The XIII Metropolitan Magistrate Court,
Egmore

2. The Inspector of police,
V1, Villivakkam Police Station,
No. 204, M.T.H Road, Villivakkam
Chennai-600049.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

SHL

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