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CRL OP No. 8761 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8761 of 2026

1. Santhi @ Shanthi
W/o.Ganesan,
No.80B, Vallalar Street,
Perambalur - 621212.
2. Ganesan
S/o.Anaiyappan,
No.255DA/P-1E, Thiruvalluvar Nagar,
Poyas Garden, Vadakku Madhavi Road,
Perambalur 621212.

..Petitioner(s)

Vs

The State Represented by The Inspector of Police,
DCB, Perambalur Police Station,
Perambalur District.
(Crime No.19 of 2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioners on bail in the event of their arrest in FIR Crime No.19 of 2025 on the file of the Inspector of Police, DCB Perambalur Police Station, Perambalur District i.e., Respondent Police, on such terms and conditions and as this Honble Court may deem fit and proper in the mentioned circumstances and render Justice.

For Petitioner(s):

Mr.S.Hariram Kumar

For Respondent(s):

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



ORDER

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420 and 502(ii) of IPC, in Crime No.19 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the first petitioner, who is working as a contractual employee in the municipality, along with the second petitioner, who is her husband, cheated the defacto complainant to the tune of Rs.4,70,000/-under the pretext of obtaining DTCP approval. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that this is the second anticipatory bail filed by the petitioner. He further submitted that the occurrence is said to have taken place from 26.09.2022 to 24.09.2022, whereas the FIR was registered on 19.06.2025. He further submitted that the petitioners have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the first petitioner along with her husband/A2 received the



amount for extending illegal favour to the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioners.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available

6. Taking into consideration the totality of the circumstances and the fact that the occurrence is said to have taken place from 26.09.2022 to 24.09.2024 and the FIR was registered on 19.06.2025, and that the respondent police have not secured the petitioners till date, this Court is of the firm view that at this length of time, the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

7. 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.I, Perambalur District** on condition that **the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

08-04-2026

DRL



To

1.The Judicial Magistrate No.I,
Perambalur District.

2.The Inspector of Police,
DCB, Perambalur Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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