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CRL OP No.8573 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. 8573 of 2026

J.Babu
S/o. John David
Door No. 95,
Dhanaas Vrikshaa
Nadupalayam Road, Pattanam,
Coimbatore 641 016.

...Petitioner/A3

Vs

State of Tamil Nadu
Rep. by the Inspector of Police.
City Crime Branch,
Coimbatore 641 014.

...Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.34 of 2025 dated 28.11.2025 on the file of the Inspector of Police, City Crime Branch, Coimbatore.

For Petitioner: Mr.S.Manuraj

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

ORDER

The petitioner/A3, who apprehends arrest for the alleged offences under Sections 120B, 406, 420 of the Indian Penal Code, 1860, Sections 296(b), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu



Prohibition of Harassment of Women Act, 2002, in Crime No.34 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2. The allegation against the petitioner/A3 is that the petitioner has misappropriated a sum of Rs.29,00,000/- (Rupees Twenty-Nine Lakhs Only) from the *de-facto* complainant by way of Demand Draft bearing No.254740. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

4. The learned counsel for the petitioner/A3 would submit that the FIR was registered against the petitioner on 28.11.2025. It is the submission of the learned counsel for the petitioner that this petitioner advanced a loan to the *de-facto* complainant's husband in the year 2015, and thereafter, the *de-facto* complainant and her husband had matrimonial discord and got divorced. In furtherance of their matrimonial discord, the *de-facto* complainant's husband had executed a Settlement Deed in favour of the *de-facto* complainant in respect of the land, and according to the prosecution, this petitioner/A3, along with the other accused have deceived the *de-facto* complainant and thereby received the entire sale consideration in the year of 2016.



5. The learned counsel would submit that except for the *overt act* of 2016, there are no current allegations against this petitioner. However, the present FIR came to be registered in furtherance of the direction of this Court in CrI.R.C.No.2067 of 2025 on 24.10.2025. Hence, it is the submission that there is no custodial interrogation of the petitioner is required.

6. The learned Government Advocate (CrI.Side) for the respondent though objected the anticipatory bail application and would submit that except for the Demand Draft bearing No.254740 for Rs.29,00,000/- (Rupees Twenty Nine Lakhs Only), there are no documents submitted by the *de-facto* complainant in respect of the remaining alleged amount cheated by this petitioner/A3 and the other accused. He would further submit that even according to the averments made in the FIR, those amounts had been received by the petitioner by cash.

7. From the submissions made by either side, it is amply clear that the alleged occurrence took place during 2016 and that the alleged sale also took place during 2016. Therefore, this Court is of the firm view that at this length of time, no custodial interrogation of the petitioner/A3 is required. Hence, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions:



8. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.VII, 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 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 5.30 p.m., for a period of two weeks and thereafter, as and when required for the 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***



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Kerala [(2005) AIR SCW 5560];

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

09-04-2026

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To

1. The Judicial Magistrate – VII,
Coimbatore.
2. The Inspector of Police,
City Crime Branch,
Coimbatore 641 014.
3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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