



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**CRL OP Nos. 8574, 8688, 8687, 8747, 9152, 8838 and 8431 of 2026
and**

Crl.MP.Nos.7366, 7375, 7368, 7382, 7377, 7365, 7362 of 2026

Crl.OP.No.8574 of 2026

1. Revanth
2. Vignesh

Crl.OP.No.8688 of 2026

1. D.Nithish
2. E.Pavithran
3. T.Kavya

Crl.OP.No.8687 of 2026

1. Rajkumar
2. N.Karthikeyan
3. V.Navin Kumar

Crl.OP.No.8747 of 2026

1. G.Annadurai

Crl.OP.No.9152 of 2026

1. R.Sankara Subu
2. Sanmugam Muthu
3. A.Siva Prasad
4. Maharajan
5. S.Ranjeeth Kumar
6. A.Kamal
7. Metha
8. R.Thavaraj
9. Parthiban



10. S.Vignesh

Crl.OP.No.8838 of 2026

1. Abdul Badusha @ Abdul Basha

..Petitioners

Crl.OP.No.8431 of 2026

1. Manimuthu
2. Infant Antony
3. Sivasakthi
4. Karthikeyan
5. Thirumurugan

..Petitioners

Vs

State Rep.by,
The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.
(Crime No. 69 of 2026)

..Respondent

Common Prayer in Crl.OP.Nos.8574, 8688, 8687, 9152, 8838 and 8431 of 2026: Criminal Original Petition filed under section 482 of BNSS to enlarge the Petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.69 of 2026 on the file of the respondent Police.

Prayer in Crl.OP.No.8747 of 2026: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest, in FIR Number 69/2026, under Sections 61(2), 336(3), 340(2), 316(5), 318(4) of The Bharatiya Nyaya Sanhita, 2023, on the file of the Respondent Police.



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For Petitioner(s) in

Crl.OP.No.8574 and 8431 of 2026: Mr.Shimiyon Edwin M

Crl.OP.No.8688 and 8687 of 2026: Mr.Lokesh S

Crl.OP.No.8747 of 2026: Mr.M.Tamilselvan

Crl.OP.No.9152 of 2026: Mr.Syed Parvez

Crl.OP.No.8838 of 2026: Mr.Illiyas M

For Respondent:
in all Crl.OPs

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

For Intervenor:
in all Crl.OPs

Mr.S.Sheik Ismail

COMMON ORDER

The petitioners apprehends arrest for the alleged offence under Sections 61(2), 336(3), 340(2), 316(5) and 318(4) of BNS Act, 2023 corresponding section in IPC 120(B), 468, 471, 409, 420 of IPC) in Crime No.69 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is a company represented by its Managing Director in Coastal Grand Holidays and Resorts. The petitioners being the employees of the de facto complainant company have misappropriated its money to the tune of Rs.12,00,000/-. Hence, this case.



3. The learned counsel for the petitioners submitted that since they started a separate company, the de facto complainant has enraged and filed the present complaint. They further submitted that the petitioners were innocent and that they have been falsely implicated in this case. They further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for investigation. Hence, they prayed to grant anticipatory bail to the petitioners.

4. The learned counsel for the petitioner in Crl.OP.No.8747 of 2026 submitted that the petitioner is only an employee and that in Crime No.62 of 2024, the petitioner has got bail.

5. The learned counsel for the Intervenor strongly opposed the bail application on the ground that the petitioners are the employees of the de facto complainant's company and it is the submission of the learned counsel for the Intervenor that they have started a parallel company and thereby diverted the business of the de facto complainant to the tune of Rs.12 lakhs during the year 2024-2025 and when the de facto complainant came to know such occurrence, the petitioners cheated almost Rs.50 lakhs. It is the contention of the de facto complainant that though the de facto complainant arranged meeting for their customers, these petitioners being employees after the customer giving



concurrency to join in the de facto complainant resort time share, these petitioners received the amount and thereby caused loss to the company and also misappropriated and apart from that, these petitioners have not returned the company's laptop and other unused receipt books. He further submitted that unless the petitioners are taken on custody, the recovery of the said amount is impossible. It is also the contention of the learned counsel for the Intervenor that as against the A1 namely Annadurai in Crl.OP.No.8747 of 2026, there is a similar case pending in Crime No.62 of 2024. Hence, he has been strongly opposed the bail application.

6. The said contention was reiterated by the learned Govt Advocate (Crl.Side).

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

8. Considering the facts and circumstances of the case and also taking note of the submissions made by the learned counsel on both sides, it is an admitted fact that all the petitioners are none other than the employees of the de facto complainant and there was dispute between them on account of diverting business of the de facto complainant and thereby deceiving the de facto complainant to the tune of Rs.12 lakhs as on the date of filing of the complaint



and now, it is Rs.50 lakhs. Though there are serious allegation against the petitioners, considering the fact that petitioners being employee and taking into consideration of the amount involved, this Court is of the firm view that custodial interrogation of the petitioners (except petitioner in Crl.OP.No.8747) is not required.

9. However, the learned counsel for the Intervenor would bring to the knowledge of this Court that as against A1 who is the petitioner in Crl.OP.No.8747 of 2026, a case is pending in Crime No.62 of 2024 in respect of similar nature of offence. From the conduct and character of the A1, it has clearly demonstrated that he does not deserve anticipatory bail. Hence, **Crl.OP.No.8747 of 2026 is dismissed and the connected miscellaneous petition is closed** and this Court is inclined to enlarge all the other petitioners on anticipatory bail subject to certain conditions.

10. Accordingly, the petitioners except in Crl.OP.No.8747 of 2026 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 Court No.I, Namakkal** 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, everyday at 10.30 a.m., for a period of one month 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.

SHL

21-04-2026



1. The Judicial Magistrate Court No.I,
Namakkal

2. The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

3. The Public Prosecutor High Court of Madras



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CRL OP No. 8574 of 2



C.KUMARAPPAN J.

SHL

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