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CRL OP No. 9323 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9323 of 2026

1. L Thomasraj
Padavatamman Kovil Street, Padur Village
Post, Chengalpattu Taluk District.
2. Guna
S/o.Naguran,
Gandhi Nagar,
Padur Village and Post,
Chengalpattu Taluk and District.
3. Surya
S/o.Varadharaj,
Kolathu Mettu Street,
Padur Village and Post,
Chengalpattu Taluk and District.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Ramapuram Police Station,
Chennai City.
(Crime No.97 of 2026).

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail, in the event of their arrest by the Respondent Police, pending investigation of the case in Crime No.97 of 2026 on the file of the Respondent and thus render justice.

For Petitioner(s):

Mr. VIJAYARAGAVAN MARIMUTHU

For Respondent(s):

MR.P.DHILEEPAN,
GOVT.ADVOCATE (CRL SIDE)



ORDER

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The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 140(2) @ as Sections 140(2), 115(2), 118(1), 351(3) of BNS, 2023 in Crime No.97 of 2026, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that, in connection with a property transaction at Kelambakkam, the defacto complainant received and repaid a sum of Rs.24 lakhs to the accused, while a balance of Rs.11 lakhs remained. It is alleged that the accused, in order to recover the said amount, wrongfully detained the defacto complainant, took him to Kovalam in a car, and assaulted and threatened him. Based on the complaint, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution. He further submitted that the co-accused was already released on bail by the learned Sessions Court. 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 accused A1 to A9 have already been arrested and enlarged on bail and that the petitioners herein are ranked as A13, A14 and A16 and that the FIR was registered against the petitioners on 05.03.2026. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the defacto complainant, namely Anilkumar was secured on the same day. Taking into consideration the totality of the circumstances and the fact that the co-accused have already been enlarged on bail, this Court is of the firm view, that 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.1, Poonamallee, Thiruvallur 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 10.00 am for a period of 30 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 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.

DRL

15-04-2026



To

1.The Judicial Magistrate No.I,
Poonamallee, Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

3.The Inspector of Police,
Ramapuram Police Station,
Chennai City.



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C.KUMARAPPAN, J.

DRL

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