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CRL OP No. 9242 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. 9242 of 2026

D.Gokul Prasanth

..Petitioner(s)

Vs

The State Tamil Nadu
Rep. by the Inspector of Police
T-15 SRMC Police Station,
Iyyappanthangal, Chennai - 600 056.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioner on Anticipatory Bail in the event of his arrest in Crime No.15 of 2026 on the file of the T-15 SRMC Police Station, Iyyappanthangal, Chennai, registered under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

For Petitioner(s): Mr.Mohan Raj Chandra Sekaran

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 4 of the Tamil Nadu



Prohibition of Harassment of Woman (Amendment) Act, 2002, in Crime No. 15 of 2026, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant, who operates a speech therapy centre under the name 'Little Steps' at Prestige Bella Vista, Iyyappanthangal, became acquainted with the petitioner when he sought treatment for his autistic son. Subsequently, the defacto complainant invested a sum of Rs. 5,40,000/- from her LIC savings into the petitioner's "turf" business venture. When the business failed to yield immediate returns, she demanded the return of her investment. It is the petitioner's contention that upon non-repayment, the defacto complainant, misusing her influence as the daughter of a retired Police Inspector, lodged a complaint to convert a purely civil business dispute into criminal proceedings for cheating and harassment.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. He contends that the dispute is civil in nature, arising out of a business loss, and lacks the necessary elements of criminal intent or "dishonesty at inception." He further submits that the petitioner is a law-abiding citizen with no adverse antecedents and that custodial interrogation is not required. The petitioner also undertakes to cooperate fully with the investigation and abide by any conditions imposed by this Court.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail, reiterated the prosecution's case. However, on instructions, he confirmed that the petitioner has no previous bad antecedents.

5. Considering the nature of the allegations, the fact that the dispute appears to stem from a financial transaction related to a business venture, and the absence of any prior criminal record, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Consequently, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 Judicial Magistrate – II, Poonamallee, 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(s) 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(s) shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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]***;



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

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

- 1.The learned Judicial Magistrate – II, Poonamallee
- 2.The Inspector of Police, T-15 SRMC Police Station, Iyyappanthangal, Chennai - 600 056.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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