



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10559 of 2026

U.Elavarsan

... Petitioner(s)

Vs.

State represented by,
The Sub-Inspector of Police,
Umangalam Police Station,
Cuddalore District.
Crime No.50 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.50 of 2026 on the file of the respondent police.

For Petitioner(s) : M/s.T.Thiruvathini

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 351(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.50 of 2026 on the file of the respondent police, seeks anticipatory bail.



2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks the indulgence of this Court. He would submit that the defacto complainant had purchased the 'straw baler' on hire purchase basis and, since he did not repay the monthly dues, the petitioner had repossessed the same and sold it to a third party. Hence, the dispute is purely civil in nature and has been given a criminal colour, and the respondent police are attempting to harass the petitioner. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of anticipatory bail, is that the petitioner had financed the purchase of the 'straw baler' and later, without the knowledge of the defacto complainant and without issuing any proper notice, sold the same.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.



5. Taking note of the facts and circumstances of the case and the submissions made by the learned counsel on either side, 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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Neyveli Combined Court, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum, to the satisfaction of the respondent police or the police officer who intends to arrest her, or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed, and on further conditions that:

(a) If the petitioner 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 petitioner and sureties shall affix their photographs and left thumb impression in the application for suretyship (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;



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(c) The petitioner shall report before the respondent police everyday at 10.00 a.m., for a period of 15 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 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.

28.04.2026

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To

1. The learned Judicial Magistrate, Neyveli Combined Court.
2. The Sub-Inspector of Police, Umangalam Police Station.
3. The Public Prosecutor, High Court of Madras.



A.D.JAGADISH CHANDIRA, J.

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