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Crl.O.P.No.11521 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.11521 of 2026

Clinton

... Petitioner

Vs.

The State, Rep. by through the Inspector of Police,
Sundarapuram Police Station,
Crime No.77/2026,

Under Section: Section 61(2) of BNS, 2023
Section 316(2) of BNS, 2023
Section 318(4) of BNS, 2023

Through the Public Prosecutor, Coimbatore
(The District Munsif-cum-Judicial Magistrate Court, Madukkarai)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.77 of 2026 on the file of the respondent/complainant pending investigation.

For Petitioner : M/s.Ezhil B

For Respondent : Mr.S.Yogaraja Sekar
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 61(2), 316(2) and 318(4) of BNS, 2023 in Crime No.77 of 2026, on the file of the respondent police seeks anticipatory bail.



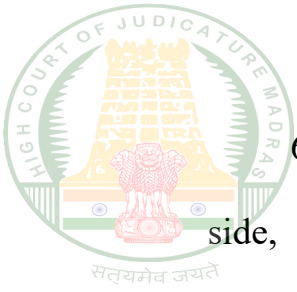
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2.The case of the prosecution is that the petitioner, while working as a Senior HR Executive in Supreme Manpower Agencies, is alleged to have misappropriated the company's funds by fraudulently transferring amounts ranging from Rs.10,61,246/- to Rs.15,00,000/- to the bank accounts of his friends and relatives, namely, Loordhu Sharmili, Shibu, Arun, Logu, Krishanth, Sanjay Raja and Maria. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.



6. From the submissions made by the learned counsel appearing on either side, it is seen that the allegation against the petitioner is that he had misappropriated a sum of Rs.10,61,246/- during the year 2025 and that the same came to light during the audit conducted by the Company. Consequently, the present First Information Report came to be registered. Though the learned Government Advocate (Crl. Side) vehemently opposed the grant of anticipatory bail, this Court, upon considering the factual matrix of the case, finds that the petitioner was an employee of the de facto complainant's company and that the alleged misappropriation was unearthed only during the course of the audit. In such circumstances, this Court is of the considered view that, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 **District Munsif-cum-Judicial Magistrate Court, Madukkarai** 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:



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(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 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 daily at 10.30 a.m., and 5.30 p.m. for the period of 15 days and thereafter, as and when required for interrogation;

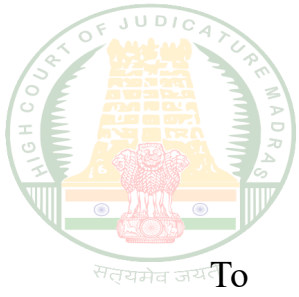
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself 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.

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To

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- 1.The District Munsif-cum-Judicial Magistrate Court, Madukkarai.
- 2.The Inspector of Police,
Sundarapuram Police Station.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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