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CRL OP No. 12327 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12327 of 2026

Prathima

..Petitioner

Vs

The State rep by,
The Inspector of Police,
CCB, ACP-I, Team, VI,
Tambaram, Chennai.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on Anticipatory Bail in the event of her arrest in connection with Crime No.29 of 2026, pending investigation on the file of the respondent.

For Petitioner: Mr. G.Parthasarathy

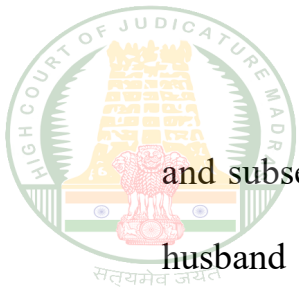
For Respondent: Mr.N.Palanivel
Government Advocate (Crl.Side)

For Intervenor: Mr.P.Srividhya

ORDER

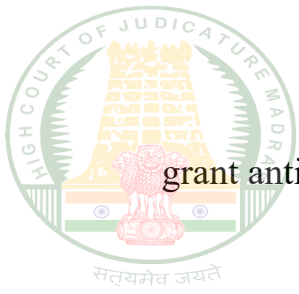
The petitioner apprehends arrest for the alleged offence under Sections 409 and 420 of Indian Penal Code, 1860 in Crime No.29 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who was in search of a property for lease at Tambaram, approached the petitioner's husband



and subsequently entered into financial transactions with the petitioner and her husband by investing amounts in their construction business. It is alleged that the defacto complainant and her family members invested a total sum exceeding Rs.1 crore on the promise of receiving a higher return. A Memorandum of Understanding was entered into between the parties. Since the assured amount was not repaid within the agreed time, disputes arose between the parties. It is further alleged that only a part of the amount was repaid and when the defacto complainant demanded the balance amount, the petitioner and her husband threatened and abused the defacto complainant and her family members. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the entire dispute arises out of a money transaction between the parties. The defacto complainant and her family members had voluntarily invested money in the construction business run by the petitioner and her husband and the transactions were purely commercial in nature. The learned counsel would further submit that civil suits are already pending between the parties in respect of the monetary claims. It is also submitted that the petitioner is a woman and the allegations mainly revolve around A1, namely the husband of the petitioner. The learned counsel would further point out that A1 has already been enlarged on bail by this Court in Crl.O.P.No.11906 of 2026 dated 14.05.2026 and therefore the petitioner is also entitled to the same relief. Therefore, he prayed to



grant anticipatory bail to the petitioner.

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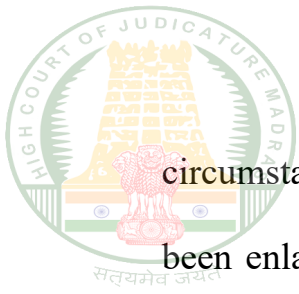
4. The learned counsel appearing for the intervenor submitted that the defacto complainant had invested huge sums on the assurance given by the petitioner and her husband and a substantial amount is still due and payable.

Hence, she opposed to grant anticipatory bail to the petitioner.

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

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

7. This Court is of the view that from the submissions of the learned counsel for the petitioner, the intervenor and the learned Government Advocate (Crl.Side), it emerges that there was a money dispute between the petitioner and the defacto complainant arising out of transactions entered into on 11.07.2022. At this juncture, the learned counsel for the petitioner rightly invited the attention of this Court to the fact that the allegations predominantly revolve around A1, namely the husband of the petitioner. It is also not in dispute that A1 has already been enlarged on bail by this Court. Considering the totality of the



circumstances, the pendency of civil proceedings, the fact that A1 has already been enlarged on bail in Crl.O.P.No.11906 of 2026 dated 14.05.2026 and that the petitioner is a woman, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. 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 – I, Tambaram**, 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 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;



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(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks 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.

19-06-2026

NSL

To

1. The Inspector of Police,
CCB, ACP-I, Team, VI,
Tambaram, Chennai.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate – I, Tambaram.



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C.KUMARAPPAN, J.

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