



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos.12825 & 12991 of 2026

Deepan Raj

..Petitioner(s) in
Crl.O.P.No.12825 of
2026

Fathimabee @ Janani

..Petitioner(s) in
Crl.O.P.No.12991 of 2026

Vs

The State Rep By,
The Inspector of Police
B-2 Esplanade Police Station,
Chennai District
(Crime No. 62 of 2026)

..Respondent(s)

Common Prayer:- Criminal Original Petitions are filed under Section 482 of BNSS Act, 2023, pleaded to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.62 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s)
in Crl.O.P.No.12825 of
2026:

Mr.A Santhana Sinakarthan

For Petitioner(s)
in Crl.O.P.No.12991 of
2026:

Mr.M.Machavatharan

For Intervenor(s):

Mr.S.Senthilvel

For Respondent(s):

Mr.N.Palanivel
Government Advocate (Criminal side)

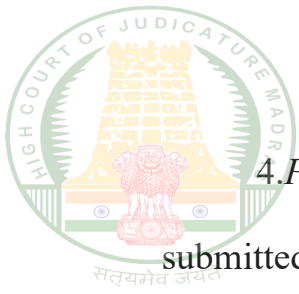


COMMON ORDER

The petitioners apprehends arrest for the alleged offences under Sections 316 (4) and 318 (4) of BNS Act, 2023, in Crime No.62 of 2026 on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the first accused (Fathimabee @ Janani) has been working in the defacto-complainant's mother's company for over five years and the second accused (Deepan Raj) is the husband of the first accused. They both misappropriated a sum of Rs.35,00,000/- and also a sum of Rs.10,00,000/- by way of falsification of accounts. It is also alleged that the petitioners have diverted 1870 boxes of false ceiling tiles and grids by falsifying the company invoices and selling these goods to third parties. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that A1 had filed a complaint against the defacto-complainant for sexual harassment on 05.11.2025 and as a counter blast, the present complaint came to be registered against the petitioners. He further submitted that there was also pending civil litigation and that a summons issued by the Police was subsequently disposed of with a direction to co-operate with the investigation and that the petitioners have been co-operating with the investigation. He further stated that the petitioner / A1 in CrI.O.P.No.12991 of 2026 is a woman. Hence, he prays for the grant of anticipatory bail to the petitioners.



4. *Per contra*, Mr.S.Senthilvel, the learned counsel for the intervenor submitted that the allegation of sexual harassment had been investigated and subsequently came to be closed. The petitioners have misused the trust reposed in them by the defacto-complainant and thereby cheated him to the tune of Rs.1,35,00,000/-. It was also contended that unless the petitioners are secured, the layering of the money could not be identified. Hence, he strongly opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the intervenor's contention and opposed the grant of anticipatory bail to the petitioners.

6. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

7. Looking into the factual position, the occurrence took place on 27.01.2025 and the First Information Report was registered on 03.04.2026. The petitioner in Crl.O.P.No.12991 of 2026 is a woman, and though there are allegations of cheating to the tune of Rs.1,35,00,000/-, A1 was admittedly an employee of the defacto-complainant at the time of the registration of the First Information Report. Therefore, if at all there is any cheating, the custodial interrogation of the petitioners is not necessary, as the entire transaction can be

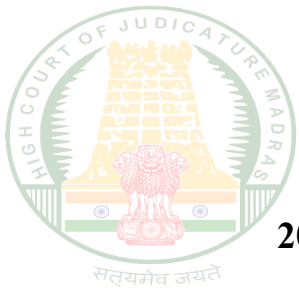


investigated on the basis of the books of accounts. In such circumstances, considering the fact that the petitioner in Crl.O.P.No.12991 of 2026 is a woman, and the petitioner in Crl.OP.No.12825 of 2026 is none other than the husband of the A1, this Court is of the firm view that the custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. 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 VII Metropolitan Magistrate, George Town, Chennai**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, 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;



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(c) The petitioner (Deepan Raj) in Crl.O.P.No.12825 of 2026 shall report before the respondent police daily morning at 10.30 a.m for a period of two weeks; thereafter as and when required for interrogation; The petitioner (Fathimabee @ Janani) in Crl.O.P.No.12991 of 2026 shall report before the respondent Police 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.

22-06-2026

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To

1.VII Metropolitan Magistrate,
George Town, Chennai.

2.The Inspector of Police
B-2 Esplanade Police Station,
Chennai District

3.The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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