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Crl.O.P.No.12786 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL.O.P.No.12786 of 2026

1.Gowtham

S/o.Venkatesan

2.Sankari

W/o.Venkatesan

... Petitioners

vs.

State represented by
The Sub-Inspector of Police,
Virudampet Police Station,
Vellore.

Crime No.213 of 2025

... Respondent

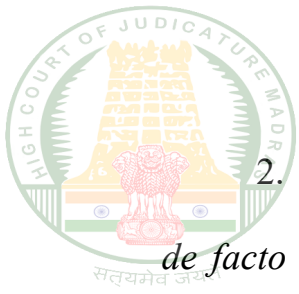
PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of their arrest concerned in Crime No.213 of 2025 on the file of the respondent police.

For Petitioners: Mr.Sriraam M.S

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 336(2), 338, 336(3), 340(2) and 318(4) of the BNS, 2023, in connection with Crime No.213 of 2025, seek anticipatory bail.

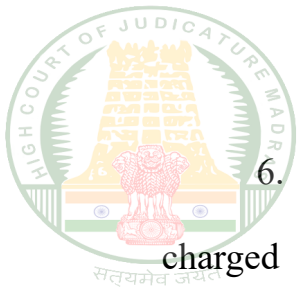


2. The case of the prosecution is that the petitioners are tenants under the *de facto* complainant and at the time of taking the premises on rent, a rental agreement was executed only for a period of two months. The allegation is that the petitioners without the knowledge and consent of the *de facto* complainant, created a forged rental agreement and on the strength of such agreement, obtained loan.

3. Learned counsel for the petitioners submitted that the petitioners have no involvement in the alleged offence and the dispute is purely civil in nature. Though the occurrence said to have taken place on 03.01.2024, the FIR was registered only on 11.12.2025. Hence, prayed for anticipatory bail.

4. Learned Government Advocate (Criminal Side) reiterated the prosecution case and would submit that the petitioners not only cheated the *de facto* complainant, but also cheated the banking institutions and obtained loan. Further, investigation in the case is still pending. He also submitted that there is no previous case pending against the petitioners. Hence, he strongly objected to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



6. Considering the rival submissions on either side and nature of offences charged against the petitioners and the fact that there is no previous case pending against the petitioners and also taking note of the delay in registering the FIR, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate III, Vellore**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest 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] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders;**



[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

14.05.2026

vji / vsn

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



To

1. The Judicial Magistrate III,
Vellore.

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2. The Sub-Inspector of Police,
Virudampet Police Station,
Vellore.

3. The Public Prosecutor,
Madras High Court.



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P.DHANABAL, J.

vji / vsn

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