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CRL OP No. 13126 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. 13126 of 2026

R.Priyadharshini

..Petitioner

Vs

State Represented by,
The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.
Crime No.671 of 2025.

..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 arrest in Crime No.671 of 2025 on the file of the Respondent Police.

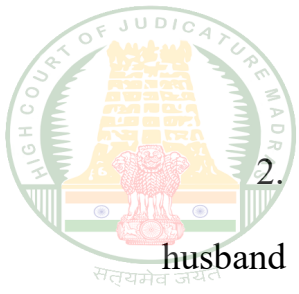
For Petitioner: Mr.Neshapriyan M

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

For Intervenor: Mr.Kamalanathan
for Mr.A.Parthasarathy & Associate

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 61(2), 316(2) and 318(4) of BNS in Crime No.671 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant and her husband had availed a housing loan from Indian Bank for a sum of Rs.78,00,000/- by mortgaging their property. Due to financial difficulties, the loan account became NPA. Thereafter, the petitioner and other accused approached the defacto complainant stating that they would settle the bank loan account through OTS settlement and redeem the mortgage documents. Believing the representations made by the accused, the defacto complainant transferred various amounts through RTGS, cash and demand drafts aggregating to about Rs.47,00,000/-. It is alleged that the accused failed to redeem the property documents and thereby cheated the defacto complainant causing wrongful loss. Hence, the case was registered.

3. The learned counsel appearing for the petitioner would submit that there was a money dispute between the petitioner and the defacto complainant from 10.01.2024 onwards. It is further submitted that the entire dispute arises out of financial transactions between the parties. The learned counsel would contend that the allegations in the FIR have been exaggerated and that the petitioner has been falsely implicated. It is further submitted that the petitioner has cooperated with the enquiry proceedings and that the custodial interrogation of the petitioner is not required. The learned counsel would also submit that the petitioner is a woman and has no previous criminal antecedents. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned counsel appearing for the intervenor would submit that the petitioner and other accused are liable to pay a sum of Rs.40 lakhs to the intervenor. It is further submitted that all the demand drafts were transferred in the name of the petitioner. However, the said fact was seriously disputed by the learned counsel appearing for the petitioner. The learned counsel for the intervenor would further submit that the petitioner has two previous cases and therefore opposed the grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and oppose the anticipatory bail application.

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 while looking into the FIR, the occurrence is stated to have taken place on 10.12.2024, whereas the FIR came to be registered only on 05.12.2025. It is also seen that the petitioner's husband has been arrayed as A4 in the case and he has already been enlarged on bail. Though the learned counsel appearing for the intervenor would submit that the petitioner has previous cases, the fact remains that the petitioner's husband is suffering from serious coronary heart disease and has been undergoing



treatment continuously. The materials placed before this Court reveal that he has been hospitalized and is presently under medical care for serious heart ailments. Taking into consideration the fact that the entire transaction appears to be arising out of money transactions between the parties, that the petitioner's husband has already been enlarged on bail, that the petitioner is a woman and her presence is required to take care of her husband who is undergoing treatment for serious coronary heart disease, 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 No.II, Coimbatore**, 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;



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(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 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,
Saravanampatti Police Station,
Coimbatore.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate No.II, Coimbatore.



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C.KUMARAPPAN, J.

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