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CRL OP No. 13379 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13379 of 2026

Elakkiya

..Petitioner

Vs

State Rep by
The Inspector of Police
OCU Coimbatore, CBCID,
CCW, Salem City

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his arrest in respect of Crime No.2 of 2025 has been registered by the CBCID-OCU, Coimbatore.

For Petitioner:

Mr.Krishnasamy Chinnasamy

For Respondent:

Mr.N.Palanivel
Govt Advocate
(Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 120(B), 420, 468, 471 of IPC in Crime No.2 of 2025 on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with other accused persons made the de facto complainant to invest money to get various benefits from the Trust and cheated. Hence, the case.

3. The learned counsel for the petitioner submitted that there are about 8 named accused, while, this petitioner is not a named accused. However, under the pretext of investigation, the respondent Police summoned the petitioner frequently and this petitioner is having a 3 year old child and apprehending the arrest by the respondent police. He also submitted that the unnamed co-accused has already been enlarged on anticipatory bail (A8) and other co-accused have already been enlarged on bail by the learned Chief Judicial Magistrate, Coimbatore.

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

5. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, though the learned Government Advocate (Crl.Side) strongly opposed the bail application, he has not seriously disputed on the grant of anticipatory bail to the A8. Admittedly,



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this petitioner is also an unnamed accused. Therefore, the petitioner is entitled to parity as that of the unnamed co-accused (A8) as ordered in Crl.OP.No.5158 of 2026 dated 02.03.2026. At this juncture, it is relevant to note that the earlier anticipatory bail application was dismissed by this Court vide order dated 06.05.2026 based on the submission that this petitioner was arrested, however, the learned Government Advocate (Crl.Side) fairly conceded that this petitioner was not arrested and it has been inadvertently represented before this Court as if the petitioner was arrested. Apart from that petitioner being a woman is having a 3 year old child, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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, 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;

(b) The sureties shall affix their photographs and left thumb



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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 twice at 10.30 a.m and 05.30 p.m for a period of four weeks and thereafter daily once at 10.30 a.m for a period of further 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.

02-06-2026

SHL

To:

1. The Judicial Magistrate,
Coimbatore.

2. The Inspector of Police
OCU Coimbatore, CBCID,
CCW, Salem City

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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