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CRL OP No. 13515 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13515 of 2026

1. Selva Ganesh
2. Chendurpandiyan
3. Vijayalakshmi
4. Mahalakshmi

..Petitioners/Accused
Nos.1 to 4

Vs

State Rep. by The Inspector of Police
R-8 Vadapalani Police station,
Chennai City.
(Crime No.87 of 2026)

..Respondent/
Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) Act, 2023, praying to enlarge the petitioner on bail, in the event of their arrest by the Respondent Police, pending investigation of the case in Crime No.87 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.V.Vishnu

For Respondent(s): Mr.A.Amarnath,
Counsel for Government of Tamil Nadu (Crl.Side)



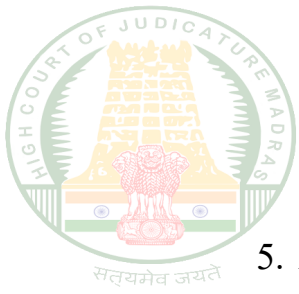
ORDER

This Criminal Original Petition has been filed by the petitioners on 19.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 318(2) and 316(2) of Bharatiya Nagarik Sanhita, 2023 in Crime No.87 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant, who was in a relationship with the first petitioner, arranged a loan for a sum of Rs.15,00,000/- for the business of the first petitioner at the instance of the second petitioner. Petitioners have not repaid the amount and thereby cheated the defacto complainant. Hence, the present case.

4. Mr.V.Vishnu, the learned counsel for the petitioners, submits that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioners. He however submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

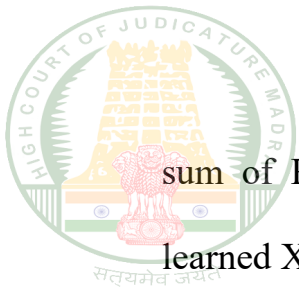


5. *Per contra*, Mr.A.Amarnath, the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent-police, submits that the petitioners cheated the defacto complainant to the tune of Rs.15,00,000/- and further contends that if the petitioners are released on pre-arrest bail, they will again cause threat to the defacto complainant and tamper with the evidence. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioners are permanent residence and has deep roots in the society. Hence, there is less possibility of absconding. Considering the same and also considering the nature of the offence alleged against the petitioners and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned XVII Metropolitan Magistrate Court, Saidapet, Cheanni-15, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like



sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned XVII Metropolitan Magistrate Court, Saidapet, Cheanni-15.

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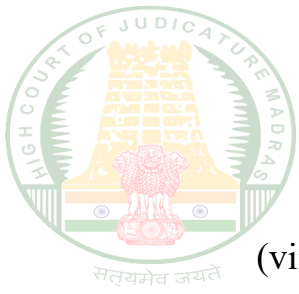
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned XVII Metropolitan Magistrate Court, Saidapet, Cheanni-15, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The first petitioner shall alone appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vi) The petitioners shall also not, directly or indirectly, cause any threat to the defacto complainant, his family members and witnesses and shall not tamper the evidence.



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(vii) The petitioners shall furnish their residential address and mobile number to the learned XVII Metropolitan Magistrate Court, Saidapet, Cheanni-15.

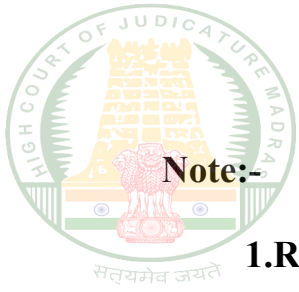
(vii) On breach of any of the aforementioned conditions, the learned XVII Metropolitan Magistrate Court, Saidapet, Cheanni-15, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

22-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JAI



Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.

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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 XVII Metropolitan Magistrate Court,
Saidapet, Chennai-15.

2. The Inspector of Police R-8 Vadapalani Police station,
Chennai City.

3. The Public Prosecutor,
High Court of Madras.



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R.SAKTHIVEL, J.

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