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CRL OP No. 14184 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14184 of 2026

R.Prabath

..Petitioner

Vs

State rep.by
Inspector of Police (Crime),
S1- St.Thomas Mount Police Station,
Chennai district.
Cr.No.120/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to the petitioner in the event of arrest by the respondent police in Cr.No.120 of 2026 on the file of the respondent police.

For Petitioner:

Dharani P

For Respondent:

Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

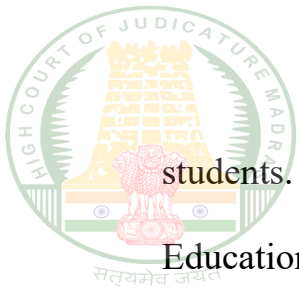
The petitioner apprehends arrest for the alleged offence under Sections 316(4) of Bharathiya Nyaya Sanhita, 2024 in Crime No.120 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the de facto complainant company is involved in the business of students consultation and sending of students for medical education to Vietnam. The petitioner was working in the said company for the past five years as Admissions Director on commission basis. It is alleged that the petitioner had obtained Rs.19,79,813/- from the students. Hence, the case.

3. The learned counsel for the petitioner submitted that initially he was associated with an Educational agency run by one Deepa. The said Deepa owes Rs.40 lakhs to this petitioner. In this regard, there was an issue lingering between them. The learned counsel for the petitioner further submitted that the petitioner has disassociated with the Educational agency run by Deepa and started an independent agency similar to that, with the assistance of his wife and mother. The de facto complainant got annoyed and given a false complaint and also used one Wilson to give further complaint. Later on, such complaint was withdrawn. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The said contention was totally denied by the learned counsel for the Intervener and submitted that in the de facto complainant's Education agency, the petitioner was working as an Administrative Director and that the de facto complainant has sent huge number of students to Vietnam for medical education and the de facto complainant company is the only point of contact for those

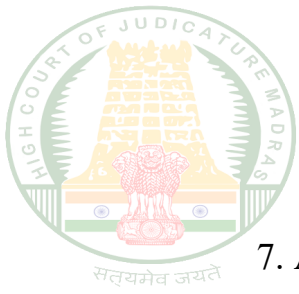


students. However, the petitioner taking advantage of his position in the Education Agency has received various sums from the students and thereby cheated to the tune of Rs.18 lakhs.

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

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, it is seen that the petitioner was working as an Administrative Officer in the de facto complainant's Education agency and thereafter he started his own. The point is whether he has received various amounts from the students. While looking into the factual position, the collection of those amounts came to light through audit. Therefore, it is apparent that the entire investigation is based upon the documentary evidence. In such circumstances, this Court is of the firm view that the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.



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7. 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-I, Alandur**, 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 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, everyday at 10.30 a.m., for a period of one month 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.

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SHL

To:

1. The Judicial Magistrate-I, Alandur
2. The Inspector of Police (Crime),
S1- St.Thomas Mount Police Station,
Chennai district.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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