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Crl.O.P.No.20718



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.20718 of 2025 and
Crl.M.P.No.14849 of 2025

1.Sumathi
2.Subash
3.Thirunavukarasu

... Petitioners / A1 to A3

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.274 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.274 of 2025 on the file of the respondent police.

For Petitioners : Mr.V.Ramanareddy
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)
For Intervenor : Mr.Pa.P.Thangavel

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 296(b), 61(2) (b), 351(2) 336(3), 79 & 318(4) of BNS Act in Crime No.274 of 2025** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the first petitioner



approached the defacto complainant in this case for conducting the accident claims cases and accordingly the defacto complainant has conducted the cases and obtained an award. In the meantime, there were financial transactions taken place between the parties. It is alleged that the first accused collected a huge amount of Rs.87,61,000/- from the defacto complainant. Further, it is alleged that A1 joining hands with other accused involved in making a false allegations against the defacto complainant and avoid to repay the amount and thereby the accused cheated the defacto complainant to extent of Rs.87.61 lakhs. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that the first petitioner is a widow. By taking advantage her precarious conditions, the defacto complainant has obtained various documents and other connected materials and thereby collected huge amount from the first petitioner. In fact, the compensation amount of Rs.50 lakhs was also retained by the defacto complainant, which has not been returned. Hence, there was suppression of materials prior to lodging the complaint and there are several financial transactions taken place between the parties. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned counsel for the Intervenor submitted that a huge amount of Rs.87.61 lakhs have been cheated by the petitioners herein by joining hands with two other accused, who are a police official and an Advocate. He further submitted that now the defacto complainant has started a bad mouth against the defacto complainant and unable to bear the harassment, he has come forward with the complaint. It is also alleged that it is a case of cheating and misappropriation. Hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and upon instructions, submitted that this Court, after hearing the parties, had directed the Investigating Officer to verify records and file a report. After verification of the records, the report had been filed, stating that, the majority of the transactions taken place between the parties are made through the Net banking and UPI transactions and there are certain transactions shows that there are payment made between both sides. It is alleged that other criminal cases were also registered against the parties. The investigation revealed that A1 joined hands with other accused fabricated documents as if the money collected from the defacto complainant have been repaid. Hence, she opposed to grant anticipatory bail to the petitioners.



6. I have gone through the records and connected materials. It reveals that all the transactions have been borne out by the records. It is also stated that the first petitioner in this case has already been suspended from service, she is a lady and a widow; and also considering the overt act attributed against the other accused; and all the transactions between the parties have been borne out of records; and to investigate the case of this nature, custodial interrogation of the petitioners are not necessary. Hence, I am inclined to grant anticipatory bail to the petitioners, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Perambalur**, on condition that **the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of four 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

Consequently, the connected miscellaneous petition stands ordered.

27.01.2026

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K.RAJASEKAR,J.

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To:

- 1.The Judicial Magistrate No.I, Perambalur.
- 2.The Inspector of Police, Perambalur Police Station, Perambalur District.
- 3.The Public Prosecutor, High Court of Madras.



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