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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 21270 of 2025

P.Nijanthan

..Petitioner

Vs

The State Rep by its,
Inspector of Police, Economic Offence Wings,
Thiruvallur, Thiruvallur District.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant an order enlarging the Petitioner/Accused in the event of his arrest made by the respondent Police in Crime No.1 of 2025 (on the file of the Inspector of Police, Economic Offence Wings, Thiruvallur)

For Petitioner: Mr.N.Deepanraj

For Respondent: Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 120B, 409, 408, 468, 471, 477A, 420 and 34 of Indian Penal Code, 1860 in Crime No.1 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, joining hands with the other accused, misappropriated the funds belonging to the defacto complainant /



Co-operative Credit Society to the tune of Rs.2,14,90,673/- during the period from 31.03.2015 to 31.05.2023 by creating false documents and falsifying the accounts, thereby cheating the society. The specific allegation against the petitioner is that he received a sum of Rs.10,00,000/- from the society without possessing valid grain guarantor mortgage documents. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner had earlier been granted interim anticipatory bail by this Court by order dated 26.11.2025 subject to the condition that he should deposit a sum of Rs.10,00,000/- within a period of two months. The learned counsel further submitted that the petitioner has already paid a sum of Rs.3,00,000/- and is willing to pay the remaining amount and therefore sought some more time to comply with the condition imposed by this Court.

4. The learned Government Advocate (Crl. Side) appearing for the respondent strongly opposed the petition and submitted that this is a case relating to misappropriation of society funds. According to the prosecution, the petitioner along with other members of the society has caused a loss of about Rs.2.14 crores to the society. It is further submitted that when the anticipatory bail petition was pending before this Court, the petitioner had filed an affidavit on 18.11.2025 undertaking to repay a sum of Rs.10,00,000/- within a period of two months. Based on the said undertaking, this Court granted interim

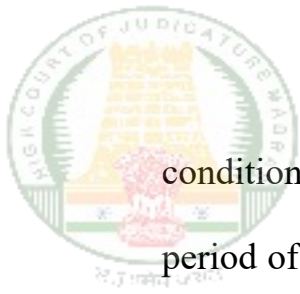


anticipatory bail on 26.11.2025 imposing the condition to deposit the said amount. However, the petitioner has not complied with the undertaking given to this Court and has paid only a sum of Rs.3,00,000/-. The learned Government Advocate further submitted that public money belonging to the society is involved in this case. In order to effectively investigate the matter and recover the misappropriated amount, custodial interrogation of the petitioner is necessary. Hence, he prayed for dismissal of the petition.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned counsel on either side, it can be seen that the allegations in this case relate to misappropriation of funds belonging to a Co-operative Credit Society to the tune of Rs.2,14,90,673/-. The specific allegation against the petitioner is that he had received a sum of Rs.10,00,000/- from the society without proper mortgage documents. It is also not in dispute that while seeking anticipatory bail, the petitioner himself filed an affidavit before this Court on 18.11.2025 undertaking to repay the said amount within two months.

7. Taking note of the said undertaking, this Court granted interim anticipatory bail to the petitioner by order dated 26.11.2025 with a specific



condition directing the petitioner to deposit a sum of Rs.10,00,000/- within a period of two months. However, even after the expiry of the stipulated time, the petitioner has paid only a sum of Rs.3,00,000/- and has failed to comply with the undertaking given before this Court. The conduct of the petitioner in not complying with the undertaking given to this Court cannot be lightly dealt. In view of the seriousness of the allegations & the involvement of public money and the failure on the part of the petitioner to comply with the undertaking given before this Court, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands *dismissed*.

09-03-2026

NSL

To

1. Inspector of Police,
Economic Offence Wings,
Thiruvallur, Thiruvallur District.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate Court, Gummudipoondi.



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CRL OP No. 21270 of 2



C.KUMARAPPAN, J.

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CRL OP No. 21270 of 2025

09-03-2026