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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 28899 of 2026

CNR: {HCMA012409582026}

1. Kennedy Raj
   S/o Antony Samy,
   No.12, Neduntheru,
   Near Sebasthiar Church, Dharmapuram,
   Karaikal District,
   Puduchery.
2. Erwin Layola
   D/o Kennedy Raj.
   No.12, Neduntheru,
   Near Sebasthiar Church, Dharmapuram,
   Karaikal District, Puduchery.

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Karaikal Town Police Station,
Karaikkal District.
Crime no.236 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on bail in the event of his arrest in Crime no.236 of 2026 pending investigation on the file the respondent Police and pass such other orders deems fit and proper for the circumstances of the case.

For Petitioner(s): Vinoth M
For Respondent(s): Mrs.G.Djearany Omprakash
Government Advocate (Puducherry)

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ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 318(4) and 3(5) of BNS, 2023, in Crime No.236 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused, Kennedy Raj, and his wife promised to arrange overseas employment in France for the de facto complainant's relatives and received various amounts from him for the same. Subsequently, they changed the destination to New Zealand and collected further amounts from the de facto complainant and his relatives. However, they neither arranged the overseas employment nor refunded the amount received. Hence, the complaint.

3. The learned counsel for the petitioners submitted that, as far as the bank transactions are concerned, the petitioners admit to them and are ready to repay the said amount. However, the petitioners dispute the remaining amount allegedly paid in cash. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and are willing to cooperate with the investigation. Hence, he prays for the grant of anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution case and, on instructions, submitted that the de facto complainant paid a total sum of Rs. 29,00,000/- for overseas employment, out of which Rs. 7,00,000/- was paid through bank transactions and the remaining amount was paid in cash. He further submitted that the investigation in this case is pending and, hence, opposed the grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, the substantial amount involved, and the serious nature of the offence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

03-11-2026

MPA

To
1. The Inspector of Police
Karaikal Town Police Station,
Karaikkal District.
Crime no.236 of 2026.

2. The Public Prosecutor (puducherry), High Court of Madras.

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N.RAMESH, J.

MPA

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