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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31189 of 2026

CNR: {HCMA012525552026}

1. Rajkapoor
   S/o Ameer,
   No.2014, Owliya Sahib Street,
   Triplicane,
   Chennai-5.

2. Safakapoor
   S/o Rajikapoor,
   No.2014, Owliya Sahib Street,
   Triplicane,
   Chennai-5.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Central Crime Branch,
EDF-1,
Avadi Police Commissionerate office,
Avadi,
Chennai.
Crime no.95 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on bail in event of their arrest, pending investigation in Crime no.95 of 2026 on the file of Inspector of Police, Central Crime Branch, EDF-1, Avadi Police Commissionerate Office, Avadi Chennai-54.

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For Petitioner(s): Mr. Venkatesan.A
For Respondent(s): Mr. R. Rajasekaran, Government Advocate
For Intervener: Mr.P.Rajkumar Pandian

ORDER

The petitioners, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 318(4) of BNS, in Crime No.95 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that this is a case of cheating. The defacto complainant is the landlord, and the petitioners were tenants under her. Taking advantage of the fact that the defacto complainant was financially well-off and possessed substantial jewellery, the petitioners allegedly induced her to invest in a scheme known as “Baitul Marg” by making false promises. Believing their representations, the defacto complainant allegedly entrusted a sum of Rs.70,65,000/- and 229 sovereigns of gold to the petitioners. Thereafter, the petitioners allegedly failed to return either the money or the gold, vacated the premises, and absconded. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have been falsely

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implicated in the present case. He also submitted that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and submitted that the investigation is still pending. Hence, he strongly opposed the grant of anticipatory bail to the petitioners.

5. The learned counsel appearing for the intervener submitted that similar complaints had been lodged against the petitioners at various police stations. In support of the said contention, he produced a copy of a petition found at Page No.12 of the typed set of papers, wherein similar allegations have been levelled against the petitioners, and a CSR receipt bearing CSR No.1335 of 2026 had been issued by the Mangadu Police Station.

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

7. It is further seen from Page No.18 of the typed set of papers that another complaint involving similar allegations is pending against the petitioners and that an enquiry pursuant thereto is in progress. It is also seen that

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the petitioners were directed to appear for enquiry by this Court vide order dated 06.10.2026 passed in Crl.O.P.No.28568 of 2026.

8. Considering the nature and gravity of the allegations, the antecedents of the petitioners, and the materials placed before this Court indicating the pendency of similar complaints against them, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

28-10-2026

MPA

To
1. The Inspector of Police
Central Crime Branch,
EDF-1,
Avadi Police Commissionerate office,
Avadi,
Chennai.
Crime no.95 of 2026.

2. The Public Prosecutor, High Court of Madras.

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