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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. 30926 of 2026

Udhayasuriyan,
S/o.Sundararajan,
No.1A, Anna first Cross Street,
Kamaraj Nagar, New Perungalathur,
Chennai. ...Petitioner/Accused

Vs

The State rep by,
The Inspector of police
Madhuravoyal Police Station,
Chennai. ...Respondent/Complainant
(Crime No. 650 of 2025)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.650 of 2025 on the file of the respondent police pending investigation.

For Petitioner(s): Mr.K.Karthik
For Respondent(s): Mr.R.Rajasekaran,
Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 316(4), 318(4) of the BNS, in Crime No.650 of 2025 on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and his wife were employed at the Nursing Institute run by the Bilroth Hospital Group and allegedly misappropriated a sum of Rs.97,37,250/- from the institution's accounts during the period from 2021 to 2025. It is further seen from the letter dated 25.09.2025, addressed by the de-facto complainant to the Inspector of Poliec (Page No.9), that the petitioner had repaid Rs.17,00,000/- and had offered jewels as security for the remaining amount, besides agreeing to execute a Power of Attorney or sale deed in respect of a property situated at Nemili Village, Chengalpattu Taluk. However, at Page No.13, it is seen that the petitioner had executed a Memorandum of Deposit of Title Deeds in favour of GROWXCD Finance Private Limited in respect of the said property. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and the he has been falsely implicated in this case. He further submitted that the Memorandum of Deposit of Title Deeds was obtained at the Police Station and that the petitioner was not aware of the contents of the said document. He also submitted that, as per the letter dated 25.09.2025, the de-facto complainant had already taken possession of the vacant land and commenced construction thereon without the petitioner's knowledge and the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) opposed the petition, submitting that the petitioner and his wife had misappropriated Rs.97,37,250/- from the institution's accounts. He further submitted that the alleged repayment and execution of documents in respect of the property require proper verification and that the investigation is pending. Hence, he sought dismissal of the petition.

5. Considering the nature of the allegations and the facts and circumstances of this case , this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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-II at Poonamallee,** 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:

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(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, daily at 10.30 a.m. for a period of 30 days 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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To

1.The Judicial Magistrate Court-II,
Poonamallee.

2.The Inspector of police
Madhuravoyal Police Station,
Chennai.

3.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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