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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31783 of 2025

Sunil Pandey

Petitioner/
De-facto complainant

Versus

1.Caroline Theresa @ Latha Murali

R/o. Plot No. 22, Block B

Sakthi 3rd Main Road, Nolambur,

Tiruvallur.

...1st respondent/Accused

2.The State, rep. By its,

The Inspector of Police

Beta – III, EDF-II,

CCB, Egmore.

...2nd respondent/Complainant

Prayer: Criminal Miscellaneous Petition is filed under Section 483(2) of BNSS, 2023 praying to cancel the bail granted to the 1st respondent/accused and to set aside the order passed in Crl.M.P.No. 11671 of 2025, dated 04.09.2025 by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai.

For Petitioner/

De-facto complainant : Mr.M.A.Muthalakan

For R1

: Mr.R.C. Paul Kanagaraj

For R2

: Ms.J.R.Archana

Government Advocate, Criminal Side



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ORDER

This Criminal Original Petition has been filed seeking to cancel the bail granted to the first respondent in this petition who is an accused in Crime No.137 of 2025 in CrI.M.P.No.11671 of 2025, dated 04.09.2025 by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai.

2.The first respondent was arrested by the second respondent police herein for the alleged offences punishable under Sections 316(5), 318(4), 61(2) of BNS Act, 2023, and was in incarceration from 16.08.2025. After considering the merits of the case, the learned Metropolitan Magistrate granted bail to the first respondent with conditions.

3.The learned Counsel for the petitioner/De-facto complainant submitted that the reasons stated by the learned Metropolitan Magistrate were not sound or valid. and the gravity of offence had not been properly considered by the learned Metropolitan Magistrate. He further submitted that one of the reasons taken for considering the bail that under Section 41A of the Code of Criminal Procedure, no notice was served on the accused before arresting the



accused and the reasons were also not in sound or valid since the offences alleged punishable for nearly to the extent of ten years. The learned Counsel for the petitioner prays to cancel the bail granted to the first respondent herein by the Court below.

4. Ms. J. R. Archana, the learned Government Advocate, [Criminal Side] appearing for the respondent police submitted that the case is under investigation and some of the accused are absconding. He prays to dismiss the above petition.

5. I have gone through the order passed in Crime No. 137 of 2025 in CrI.M.P.No. 11671 of 2025, dated 04.09.2025 by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai. Though the learned Metropolitan Magistrate has started to dispose the case by stating that Section 41A of the Code of Criminal Procedure, no notice was issued to the first respondent as per the judgment of the *Susindrakumar Vs. Central Bureau of Investigation*, thereafter, the learned Magistrate entered into the merits of the claim and held that there is no record to show that around Rs. 12,15,000/- given to the first respondent by way of cash to the de-facto complainant. He further stated that the first respondent is in judicial custody



for more than 20 days and the police custody was obtained and the petitioner is being a lady and she has age related ailments. Hence, I am of the view sound reasons are recorded for granting bail and there is no reasons warranting interference in the impugned order passed by the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai.

6. Accordingly, this Criminal Original Petition is dismissed.

21.01.2026

MSM

To

1. The Metropolitan Magistrate for
Exclusive Trial of CCB Cases, Egmore, Chennai.

2. The Inspector of Police
Beta – III, EDF-II, CCB, Egmore.

3. The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR, J.

MSM

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