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CRL OP No. 1519 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1519 of 2026

Aishwarya

..Petitioner(s)

Vs

State rep.by, The Inspector of Police,
District Crime Branch,
Cuddalore District.
Cr.No. 40 of 2025.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, 2023,
praying to grant anticipatory bail to the petitioner in the event of her arrest in
Cr.No.40 of 2025, on the file of the District Crime Branch, Cuddalore.

For Petitioner(s): M/S.AGD Bala Kumar

For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Section 420 of IPC in Crime No.40 of 2025 seeks anticipatory bail.



2.The case of the prosecution is that the defacto complaint and the petitioner are school mates. It is alleged that the petitioner's husband approached the defacto complainant to start a chit fund company, and that he along with other accused would act as a Directors, with each person invest Rs.1 Crore. Pursuant to this, the defacto complainant invested a sum of Rs.96,09,456/- with the petitioner's husband as his share. Subsequently, the petitioner's husband failed to include the defacto complainant as a director in the chit fund and did not return the money invested, thereby cheated the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that A3 in this case was already arrested and released on bail, and the petitioner is ranked as A2. There is no overtact attributed against the petitioner in the FIR, and though there is a reference that she has also induced the defacto complainant to invest money, the further allegations in the FIR clearly reveal that no money was paid directly or through the bank account of the petitioner herein. The petitioner is not the beneficiary of any of the transactions. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that A1 and A2 were not arrested and A3 was alone arrested and subsequently released on bail and so far no amount has been recovered. He further submitted that the investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.



5. I have also carefully considered the contents of the FIR and other connected materials, and on perusal of the same, it reveals that almost all the averments regarding the payment of money at various stages are only against A1 and A3. It is further alleged that petitioner is the wife of Accused No.1 and promised that she would make repayment, and subsequently, the cheque was also issued and dishonored. Considering the above facts and circumstances and the overtact attributed against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Cuddalore**, 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:

(a) If the petitioner fails to surrender before the concerned 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



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police everyday at 10.30 a.m., for a period of three weeks 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.

02-02-2026

GBI

To

- 1.State rep.by, The Inspector of Police,
District Crime Branch,
Cuddalore District.
Cr.No. 40 of 2025.
- 2.The Judicial Magistrate-II, Cuddalore.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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