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CRL OP No. 34962 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34962 of 2025

1. Barathi Priyan
No.40, Annapoorna Nagar, 4th Street,
Ponniyammanmedu, Madhavaram,
Chennai-600 110.

Petitioner(s)

Vs

1. The State rep.by, The Sub-Inspector
of Police,
M1 Madhavaram Police Station,
Chennai-600 110. (Ref.Cr.No.347 of
2023)

Respondent(s)

PRAYER

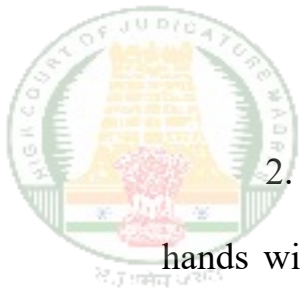
To enlarge the petitioner/ Accused No.3 on Anticipatory Bail in the event of their arrest pending investigation in Cr.No.347/2023 on the file of the respondent.

For Petitioner(s): M/s.J.Suresh

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Crime No. 347 of 2023, seeks anticipatory bail.



2. The allegation against this petitioner is that, the petitioner joining hands with other family members that is mother and brother, collected Rs.26 lakhs from the defacto complainant under the pretext of returning 4 crores of money, invested in the name of the trust run by A1 to A3. Subsequently, they cheated the defacto complainant. It was revealed that they made a false promise and collected the money.

3. The learned counsel for the petitioner would submit that the petitioner is alleged to have collected only Rs.30,000/- from the defacto complainant, and the remaining money was paid to the other accused. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that there are totally 3 accused in this case. A1 has been arrested and is still in custody. A2 has already been granted bail by this Court in Crl.O.P.No.32946 of 2025 dated 02.12.2025. Hence, he opposed for grant of bail to the petitioner.

5. I have gone through the order of this Court in Crl.O.P.No.32946 of 2025 dated 02.12.2025, wherein this Court observed that the roles of the A2 and A3 were very limited and they have received a sum of Rs.40,000/- and 30,000/- respectively. It is also submitted that, at the time of receiving the money, the petitioner was a minor and the money was used for his education purpose.



Considering the overt act attributed and that the majority of allegations are only against A1, who has been arrested and is in custody, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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 made ready, before the **learned District Munsif cum Judicial Magistrate, Madhavaram**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(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 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05-01-2026

Mpa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.District Munsif cum Judicial Magistrate, Madhavaram.

2.The State rep.by, The Sub-Inspector
of Police,
M1 Madhavaram Police Station,
Chennai-600 110. (Ref.Cr.No.347 of
2023)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
mpa

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