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Crl.O.P.No.35659 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.35659 of 2025

1.Mahalakshmi
2.Sindhu

... Petitioners / A1 & A4

Vs.

The State Rep by
Inspector of Police-Crime,
Salem Town Police Station,
Salem City, Salem.
(Crime No.27 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.27 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Gajapathi Krishnan
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 120(B) and 420 of the Indian Penal Code, 1860** in **Crime No.27 of 2025** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners joined



hands with other accused, alleged to have collected a sum of Rs.15 lakhs from the defacto complainant for the purpose of arranging a nurse job in foreign countries and subsequently failed to do so, and thereby, cheated the defacto complainant. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are already complaint registered for the very same allegations in Crime No.1308 of 2019 on the file of Ponkunnam Police Station, Kerala, for the offences punishable under Sections 406, 420 and 468 IPC. He further submitted that the said case is connected with other two cases in Crime No.2922 of 2019 on the file of Kayamkulam Police Station and Crime No.45 of 2020 on the file of Changanasseri Police Station, and all the cases have been directed to be investigated by the CBCID. He further submitted that the defacto complainant's daughter is also shown as one of the victim in the said cases and that, suppressing the same, the present complaint has been lodged as a subsequent complaint. He further submitted that the petitioners are ready to cooperate with the investigation and that they have not obtained anticipatory bail in connection with the earlier cases. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners herein have collected a sum of Rs.15 lakhs and that several cases have been registered against him. Pursuant to the directions issued by this Court, the respondent police have also verified the previous cases pending in the State of Kerala, which are also at the stage of investigation. Hence, she opposed to grant anticipatory bail to the petitioners.

5. I have heard the learned counsel on either side and also perused the materials available on record.

6. Considering the nature of allegations and the fact that the earliest complaint was registered in the year 2019 and that the defacto complainant's daughter is shown as one of the victims in those cases, this Court is of the view that considering the above factual background, the petitioners are entitled to grant of anticipatory bail. Therefore, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Chief Judicial Magistrate, Salem**, on condition that **the petitioners shall execute a**



separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioners 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 petitioners 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 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

27.01.2026



Crl.O.P.No.35659 of 2018



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To:

- 1.The Chief Judicial Magistrate, Salem.
- 2.The Inspector of Police-Crime, Salem Town Police Station,
Salem City, Salem.
- 3.The Public Prosecutor, High Court of Madras.

K.RAJASEKAR,J.

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