



CRL OP(MD). No.526 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.526 of 2026

1.Mariammal @ Mariyammal

2.Shanmugam ... Petitioners/ Accused Nos.1 and 2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Watrap Police Station,
Virudhunagar District.
(Crime No.357 of 2025)

... Respondent / Complainant

For Petitioners : Mr.R.Jagadeeshwaran,
Advocate

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate
(Criminal Side)

For Intervener : Mr.M.Jothi Basu,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.357 of 2025 on the file of the respondent police.

1/7



CRL OP(MD). No.526 of 2026

ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, in Crime No. 357 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the second petitioner introduced the defacto complainant to the first petitioner, and an agreement was arrived at between them, whereby the defacto complainant agreed to settle the jewel loan amount and further agreed to pay the balance sale consideration to the first petitioner. However, on 06.02.2025, the petitioners allegedly cheated the defacto complainant by selling jewels of lesser purity. Thereafter, when the defacto complainant demanded the return of the amount, the same was refused by the petitioners. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He further submitted that the petitioners,



CRL OP(MD). No.526 of 2026

pursuant to the order dated 09.01.2026, have deposited a sum of Rs. 50,000/- to the credit of Crime No.357 of 2025 before the learned District Munsif-cum-Judicial Magistrate, Watrap, Virudhunagar. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that this Court had already granted interim protection, directing the petitioners to appear before the respondent police and to cooperate with the investigation. He further submitted that, pursuant to the said order, the petitioners have cooperated with the investigation.

5. Taking into consideration the facts and circumstances of the case, and since the petitioners have complied with the conditions imposed in the interim order, the interim order already granted is made absolute. This Court is inclined to grant anticipatory bail to the petitioners, subject to the condition that they shall deposit a sum of Rs. 20,000/- (Rupees Twenty Thousand only) to the credit of Crime No. 357 of 2025 before the learned District Munsif-cum-Judicial Magistrate, Watrap, Virudhunagar, within a period of two months from the date of



CRL OP(MD). No.526 of 2026

executing sureties. In the event of failure, the respondent police shall proceed in accordance with law.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order made ready, before the learned District Munsif-cum-Judicial Magistrate, Watrap, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;



CRL OP(MD). No.526 of 2026

WEB COPY

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner 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 Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
26.02.2026
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To

- 1.The District Munsif-cum-Judicial Magistrate,
Watrap,
Virudhunagar.
- 2.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

5/7



CRL OP(MD). No.526 of 2026

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.526 of 2026

S.SRIMATHY,J.

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ORDER
IN
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Date : 26.02.2026
(2/2)