



CRL OP(MD). No.687 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Saktheeswari

... Petitioner / Accused No.1

Versus

The State of Tamilnadu,
Rep by the Sub-Inspector of Police,
Malli Police Station,
Virudhunagar District.
(Crime No.147 of 2025)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.147 of 2025 on the file of the respondent police or on her appearance.

For Petitioner : M/s.A.Lakshmi

For Respondent : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)

For Intervener : Mr.C.Susikumar



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police in Crime No.147 of 2025 for the offences punishable under Sections 406 and 420 of IPC, seeks anticipatory bail.

2. The case of the prosecution is that the *defacto* complainant and the petitioner are neighbours. The husband of the petitioner was working as a Gunman in the Armed Reserve Police. It is alleged that they approached the *defacto* complainant for jointly carrying on a real estate business. Pursuant to the same, the *defacto* complainant paid a sum of Rs.4,00,000/- in cash during May 2024, and further transferred a sum of Rs.4,00,000/- to the bank account of the husband of the accused through RTGS on 11.07.2024. Another sum of Rs.6,00,000/- was also paid through a cheque dated 16.07.2024. After receiving the said amount, the husband of the accused paid interest of Rs.37,000/- per month for a period of two months. Thereafter, he died on 21.10.2024. Subsequently, since the petitioner and her husband had allegedly cheated the *defacto* complainant, the present complaint has been lodged.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is the wife of the said Gunman, who died on 21.10.2024. According to him, in order to grab the property and to recover the amount, the present FIR has been registered against the petitioner by making false allegations. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the accused made a false promise and thereby committed an offence under Section 420 of IPC. Hence, he objected to the grant of anticipatory bail to the petitioner.

5. The learned counsel for the *defacto* complainant submitted that the accused made a false promise to do business, received money from the complainant and failed to repay the same. Hence, he objected to the grant of anticipatory bail to the petitioner.

6. This Court heard the learned counsel appearing on either side



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and perused the materials placed on record.

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7. Considering the facts and circumstances of the case, it is seen that there was no direct money transaction between the petitioner and the *defacto* complainant. Hence, this Court is of the considered view that the custodial interrogation of the petitioner is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.II, Srivilliputhur, on condition that the petitioner shall execute a bond for a sum of Rs. 10,000/-(Rupees Ten Thousand only) 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 petitioner and the sureties shall affix their



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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 petitioner shall appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation. She has to co-operate for the investigation;

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

(d) the petitioner 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



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registered under Section 269 of BNS, 2023.

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To

1. The Judicial Magistrate Court No.II,
Srivilliputhur,
- 2.The Sub-Inspector of Police,
Malli Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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