



CRL OP(MD) NO. 2118 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 2118 of 2026

1.Dinesh Kumar

2.Mohanasundari

.. Petitioners/ Accused

Vs

1. The State Rep.by,

The Station House Officer,

Cyber Crime Police Station,

Palakkad,

Kerala State,

(Crime No.73/2025).

2. State of Rep. By,

The Inspector of Police,

Paramakudi Town Police Station,

Ramanathapuram District.

.. Respondents



CRL OP(MD) NO. 2118 of 2026

For Petitioner : Mr.B.Arun

For Respondents : Mr.S.S.Manoj

Government Advocate (Criminal side)

Prayer: This petition is filed to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Crime No.73 of 2025 on the file of the first respondent Police.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4) of BNS, r/w 66(D) of IT Act, Crime No.73 of 2025 on the file of the first respondent police, seek interstate anticipatory bail.

2. The petitioner had been accused of non-bailable offences committed beyond the territorial jurisdiction limit of the State of Tamil Nadu, has approached this Court for anticipatory bail, so as to enable him to approach appropriate Court.



CRL OP(MD) NO. 2118 of 2026

3. The case of the prosecution is that the defacto complainant was contacted by an unknown person, who induced him to invest money by promising high returns. Acting on the guidance of the said unknown person, the defacto complainant invested a total sum of Rs.18,50,000/- by transferring the amount to bank accounts specified by the unknown person. After a lapse of time, the unknown person neither paid the promised returns nor refunded the invested amount. Based on the said allegations, a case was registered by the second respondent police. During the course of investigation, the police found that a sum of Rs. 5,00,000/- had been credited to the petitioner's bank account.

4. The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. There is no specific allegation against this petitioners and the allegations are vague. Hence, they seek interim anticipatory bail for the petitioners to enable them to approach the appropriate Court and seek regular anticipatory bail. He further submits that this Court, in similar circumstances, granted interim anticipatory bail to the accused to enable them to seek appropriate bail orders from the concerned Court.



CRL OP(MD) NO. 2118 of 2026

WEB COPY

5. Heard the learned Government Advocate (Criminal Side) appearing for the respondents.

6. The issue as to whether, in respect of the persons, who have been accused of a non-bailable offence, committed beyond the territorial jurisdiction of the State of Tamil Nadu, and if his arrest is sought within the jurisdiction of this Court, irrespective of the fact that he is a resident of the place over which this Court can grant anticipatory bail under Section 482 of BNSS, came up for consideration before a Division Bench of this Court in the case of ***S.P.Shanthi Swaroop v. State of Tamil Nadu, rep. By Asst. Commissioner of Police, Central Crime Branch, Madras*** reported in ***121182 L.W.(Crl.) 475***. After elaborate discussion, decisions and considering the ratio laid down by the Patna High Court in ***Syed Safrul Hassan v. State***, the Division Bench has passed the following order :

“For the foregoing reasons, we hold that the High Court or the Court of Session has got power under Section 438 Cr.P.C. To grant anticipatory bail irrespective of the locale of the Commission of the offence. In other words,



WEB COPY



CRL OP(MD) NO. 2118 of 2026

in respect of persons who have been accused of a non-bailable offence committed beyond the territorial jurisdiction of the State of Tamil Nadu, if their arrest is sought within the jurisdiction of this Court, irrespective of the fact that they are residents of the place over which this Court can grant anticipatory bail. However, we wish to observe that while granting anticipatory bail, this Court has to restrict the relief for a limited period and to direct the concerned persons to move the Court which is having jurisdiction over the matter in the meantime and also impose such condition so as to make the petitioner available for interrogation by the concerned police in the meantime. The reference is answered accordingly.”

7. Thereafter, a learned Single Judge of this Court in the case of ***P.Thangavelu and others v. State, rep. By the Inspector of Police and other*** reported in **2017 (2) MWN (Cr.) 633** has passed the following order :

“9.Thus, it is seen that though in the State of Uttar Pradesh, the provisions of [Section 438](#), Cr.P.C., enabling grant of Anticipatory bail has been deleted, still the Courts have power to grant Inter-State Anticipatory Bail, more particularly taking into account the



provisions under [Article 21](#) of the Constitution of India. In the light of the above Judgments and discussions, this Court is of the view that Inter-State Anticipatory Bail can be granted to the petitioner for a limited period to enable them seek appropriate Bail Orders from the concerned Court.

10. Accordingly, Interim Anticipatory Bail is granted to the petitioner herein till 01.08.2016. The petitioners are directed to be enlarged on Bail in the event of their arrest or on their appearance before the Judicial Magistrate concerned, subject to the following conditions:

(i) Each petitioner shall execute a Personal Bond for a sum of Rs.10,000- (Rupees ten thousand only) with two sureties, to the satisfaction of the Respondent-Police or the Police Officer, who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) within the said period, ie., before 01.08.2016, the petitioner shall appear before the concerned Court of Jurisdiction and move for Anticipatory Bail before the said Court.



CRL OP(MD) NO. 2118 of 2026

11. This Court makes it very clear that Interim Anticipatory Bail pertaining to Inter-State disputes cannot be sought as a matter of right and it is purely the discretion of the Court in granting the same, considering the facts, circumstances and also the nature of offences. It is also made clear that this order, on being produced, shall be punctually observed and executed by all concerned.”

8. In view of the decisions cited supra, this Court is inclined to grant interim anticipatory bail to the petitioners for a period of one month. Accordingly, interim anticipatory bail is granted to the petitioners for a period of one month. The petitioners are directed to be enlarged on bail in the event of arrest or on their appearance before the respondent police and on further conditions that :

(i) the petitioners shall execute a Personal 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 respondent police or the Police Officer, who intends to



WEB COPY



CRL OP(MD) NO. 2118 of 2026

arrest or to the satisfaction of the learned
Judicial Magistrate, Paramakudi;

(ii) within the said period, i.e, before
20.03.2026, the petitioners shall file an
appropriate application before the concerned
jurisdictional Court for pre-arrest/anticipatory
bail.

04.02.2026

vsg



CRL OP(MD) NO. 2118 of 2026

WEB COPY

To

1. The Judicial Magistrate,
Paramakudi.
2. The Station House Officer,
Cyber Crime Police Station,
Palakkad,
Kerala State,
(Crime No.73/2025).
3. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD) NO. 2118 of 2026

S.SRIMATHY, J.

vsg

Order made in
Crl.O.P(MD)No.2118 of 2026

04.02.2026