



CRL OP(MD). No.2755 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/06/2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

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1. Krishnakumar

2. Esakkithai @ Revathi ... Petitioners/ Accused No.1&2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
Crime No.634 of 2025.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.634 of 2025 on the file of the respondent Police.

For Petitioners : Mr.D.Venkatachalam,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

For Intervener : Mr.R.Muthuram

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the



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respondent for the offence punishable under Section 318(4) of BNS, 2023, in Crime No.634 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are friends. The petitioners approached the defacto complainant and induced him to invest money in share market by giving a false promise that he would get double amount. On believing their words, the defacto complainant sent an amount of Rs.26,13,000/- on various dates through G-Pay and Net banking to the account of the first petitioner/A1. Thereafter, he repaid the amount of Rs.16,23,000/- and also failed to repay the amount of Rs.15,40,000/-. Hence, this case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the petitioners received loan from the defacto complainant for interest. They paid a sum of Rs.16,23,000/- through G-Pay and other online mode and also paid the remaining amount of Rs.15,40,000/-



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through cash transaction and no previous cases is pending against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that there is a money dispute between the parties. The petitioners cheated the defacto complainant to the tune of Rs.26,13,000/-. Though, they repaid the amount of Rs.16,23,000/-, failed to repay the amount of Rs.15,40,000/- and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for the Intervener would submit that the petitioners being the friend of the defacto complainant, they induced him to invest money in the share market and he received the amount of Rs.31 lakh and repaid the amount of Rs.16 lakh. Thereby, they cheated the defacto complainant and hence, he strongly opposed to grant anticipatory bail to the petitioner.

6. Heard both sides and perused the materials available on record.



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7. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and there is a money transaction between the parties and even according to the prosecution, the amount was paid for the purpose of investing in the share market and even according to the prosecution, a part of the amount was already paid by the petitioners and the alleged occurrence was took place on 21.12.2024 and FIR was registered on 29.11.2025 and by this time, the material part of the investigation might have been completed and no previous case is pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to 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 learned **Judicial Magistrate No.I at Tirunelveli**, and on further conditions that:

[b] the petitioners shall report before the respondent police, daily at 10.30 a.m. for a period of 30 days, and thereafter as and when required for the interrogation.

[c] the petitioners shall not commit any offences of



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similar nature.

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[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
01.06.2026
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P. DHANABAL,J

DSS

To

- 1.The Judicial Magistrate No.I at Tirunelveli.
- 2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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Date : 01/06/2026
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