



CRL OP(MD). No. 3723 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 10.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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K.Suthersingh

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanniyakumari District
(Crime No.84 of 2026)

...Respondent

For Petitioner : Mr.N.Pragalathan
For Intervenor : Mr.Mohammed Zaamil
For Respondent : Mr.M.Karunanithi
Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.84 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/A2, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 316(2) and 318(4) of BNS in Crime No.84 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is running a jewellery shop and the defacto complainant is the relative of A1. On 02.12.2024 she gave 88.310gms gold ornaments and 15.10grams gold coin to the accused persons and also paid a sum of Rs.6,24,000/- to the accused persons. The said amount and gold ornaments were given for making the gold ornaments weighing about 11 sovereigns. But the accused persons returned only two bangles. Since they neither gave the jewels nor returned the amount the present case has been registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. The petitioner has nothing to do with the alleged crime. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned counsel appearing for the intervenor would submit that

petitioner had already filed intervening application in the anticipatory bail petition. The petitioner herein cheated the defacto complainant to the tune of Rs.16,40,000/- and entrusted 88.310 grams gold ornaments and 15.10grams of gold coins to the accused and also paid Rs.6,24,000/- but the accused only handed over two bangles and thereafter they have not returned the above said jewels,thereby cheated the defacto complainant. Hence he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the accused persons had cheated the defacto complainant to the tune of Rs. 16,40,000/- The amount involved in this case is very huge. Hence, he opposes to grant anticipatory bail to the petitioner.

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

7. Considering the rival submissions on either side and the considering the fact that the alleged occurrence took place in the year this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions but the First Information Report has been lodged in the

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year 2026 and there is a huge delay in lodging complaint. On perusal of the

First Information Report it appears that there are business transactions between the parties and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate No.I, Kuzhithurai, Kaniyakumari District and on further conditions that:

[b] the petitioner shall report before the respondent police, daily at 10.30a.m., until further orders.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner 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



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action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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)
10.04.2026

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To

- 1.The Judicial Magistrate No.I, Kuzhithurai, Kaniyakumari District
- 2.The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanniyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

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ORDER
IN
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Date : 10.04.2026