



CRL OP(MD). No.4851 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Syedali Fathima

... Petitioner / Accused No.2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Economic Offences Wing,
Karur.
(Crime No.1 of 2026)

... 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.1 of 2026 on the file of the respondent police or on his appearance.

For Petitioner : Mr.M.Pitchai Muthu

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



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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.1 of 2026 for the offences punishable under Sections 408, 420, 477A, 120B and 109 of IPC, seeks anticipatory bail.

2. The case of the prosecution is that the first accused was the Senior Clerk and Joint Custodian of Jewels of R.4299, Thogamalai Primary Agricultural Co-Operative Credit Society. During the course of inspection, it was found that while the first accused was in service from 01.02.2023 to 31.07.2023, he took the real jewels and replaced them with fake ones in the locker to the tune of Rs. 90,50,580/-, as a result of which an enquiry under Section 81 of the Tamil Nadu Cooperative Societies Act was conducted, and the first accused was terminated from service. As far as the present petitioner is concerned, it is alleged that the first accused pledged the said jewels at Kosamattam Finance with the assistance of the petitioner. Hence, by virtue of this, the petitioner's name has also been mentioned as an accused in the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that, as on date, the entire amount has been recovered and that the only allegation against the petitioner arises from the confession of the first accused. Hence, custodial interrogation of the petitioner is not necessary. Accordingly, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner received the jewels from A1 and pledged the same in a private finance company. Hence, custodial interrogation of the petitioner is necessary. Accordingly, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the facts and circumstances of the case, and also considering that the entire jewels have been recovered, this



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Court is of the opinion that custodial interrogation of the petitioner is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.II, Kulithalai, Karur District, 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 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



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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 registered under Section 269 of BNS, 2023.

05.03.2026

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To

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1. The Judicial Magistrate Court No.II,
Kulithalai,
Karur District.
2. The Inspector of Police,
Economic Offences Wing,
Karur.
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
IN
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