



Crl.O.P.(MD)No.5322 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 5322 of 2026

Divya Selvaraj

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
South Gate Police Station,
Madurai City, Madurai.
(Crime No.26 of 2026)

...Respondent/Complainant

For Petitioner : Mr.S.Vidhya Sagar
Advocate.

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

For Intervenor : Ms.P.Krishnaveni

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 26 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 20.02.2026, for the offences punishable under Sections 318(4) of



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BNS, in Crime No.26 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the Accused No.1 and Accused No. 2 approached the defacto complainant with a proposal relating to a gold business venture, representing that they were in a position to import gold biscuits from a foreign country at a concessional rate and assuring substantial financial returns. Believing the said representations, the defacto complainant entered into an arrangement and, on various dates commencing from 27.03.2025 transferred a total sum of Rs.25,00,000/- through bank transactions, including cash deposits and ATM transfers, into the bank account maintained in the name of "NVS Jewels," which stands in the name of the Petitioner herein. The accused persons received the said amounts on the pretext of procuring and delivering gold biscuits, but, failed to deliver the gold as promised and did not refund the money despite repeated demands. When the defacto complainant questioned Accused No.1 and Accused No.3 at their residence regarding repayment, they evaded settlement on one pretext or another and executed an agreement brought by the defacto complainant, undertaking to refund the amount within 15 days. As security for the said undertaking, it is alleged that the accused permitted the defacto complainant to take possession of their NEXON car. Upon the lapse of the stipulated 15-day period, when the defacto

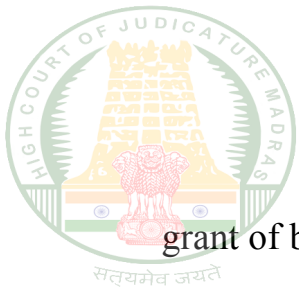


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complainant contacted Accused No.1 over the phone to enquire about the refund, Accused No.1 threatened him through phone call. Thereafter, the defacto complainant gave a complainant before the respondent police.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she is in no way connected with this present case. She was falsely implicated in this case. The defacto complainant voluntarily approached the accused No.1 along with his associate accused No.2 with a proposal relating to a gold business venture, purportedly involving the import of gold biscuits from a foreign country. He added the accused No.2 with the business of the accused No.1 as a partner, in the course of such business dealings the he instructed the defacto complainant to deposit the alleged sum of money. The petitioner has no knowledge about the same. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. Believing the words of the accused persons the defacto complainant invested huge amount of money. But, they had swindled the money. She is one of the Director of the Company. The petitioner has no previous case. He vehemently opposed the



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grant of bail to the petitioner.

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5.The learned counsel appearing for the intervenor would submit that the accused persons approached the defacto complainant stating that they were also engaged in the gold business and that they could procure gold from abroad and sell the same at the prevailing online market rate. Believing their words the defacto complainant transferred huge amount. On various occasions, he demanded the same, but the accused persons neither purchased the gold nor repaid the amount. They swindled the same and cheated the defacto complainant. The petitioner is one of the Director of the Company. Investigation is also pending. Hence, he vehemently opposed the grant of bail to the petitioner.

6. This Court heard both sides and perused the materials available on record.

7. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioner, all the alleged offences are born out of records, even according to the prosecution the occurrence was happened from 27.03.2025, the FIR has been registered on



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21.01.2026, belatedly, on perusal of FIR it is seen that there is business transactions between the parties, this Court also earlier granted interim bail by imposing certain conditions, those conditions have also been complied, this Court is inclined to grant bail to the petitioner subject to the following conditions:

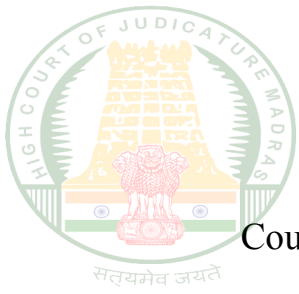
[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai, and on further conditions that:

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

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the



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Court or to any police officer or tamper with the evidence;

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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 BNS.

(P D B J)
09.06.2026

TM

To

- 1.The Judicial Magistrate No.IV, Madurai.
- 2.The Inspector of Police,
South Gate Police Station,
Madurai City, Madurai. (Crime No.26 of 2026)
- 3.The Superintendent, Central Jail, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
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