



CRL OP(MD). No.6416 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

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R.Jayakumari

... Petitioner / Accused No.3

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(Crime No.328 of 2023)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, praying to grant anticipatory bail to the petitioner in Crime No.328 of 2023 on the file of the respondent police.

For Petitioner : Mr.M.Pitchai Muthu

For Respondent : Mr.M.Karunanithi,
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.328 of 2023 for the offence punishable under Sections 406 and 420 of IPC r/w Sections 3, 5, 21(1), 21(2), 21(3), 23 and 25 of the Banning of Unregulated Deposit Schemes Act, 2019 and 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner's husband, who is the Managing Director of Aishwaryam Chit Fund Private Limited, Trichy, along with the other Directors, canvassed the public to invest in the chit fund, pursuant to which several persons deposited their money. Subsequently, the chit fund was closed without repaying the deposit amounts, thereby cheating the investors. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, has not committed any offence as alleged by the prosecution, and she has been falsely implicated in this case. He further submitted that the petitioner is a law-abiding citizen and



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is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court. He also submitted that there are no previous cases against the petitioner. 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 is the wife of A1. He further submitted that the investigation has been completed and the charge sheet has been filed. It is also submitted that A1 has already been arrested and released on bail. He would further submit that the petitioner's bank accounts have already been frozen. However, he contended that the offences are grave in nature and, therefore, he strongly opposed 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. Considering the rival submissions made on either side, the



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nature of the offence, and in view of the fact that the investigation has already been completed and the charge sheet has been filed, and taking into account that there are no previous cases against the petitioner, and though the FIR was registered on 09.06.2023 and three earlier anticipatory bail petitions were dismissed, the respondent police have not been able to secure the accused, and the petitioner, who is none other than the wife of the main accused, who has already been granted bail by this Court, and further considering that the petitioner's bank accounts have already been frozen, 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 his appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.I, Kumbakonam, Thanjavur 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



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Magistrate concerned and on further conditions that:

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(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 report before the learned Special Court under TNPID Act, Madurai on all working days at 10.30 a.m. until further orders;

(c) 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(d) the petitioner shall not leave India without the prior permission of the Court;

(e) the petitioner shall not abscond either during investigation or trial.

(f) 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



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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 of BNS.

17.04.2026

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To

- 1.The Special Court under TNPID Act,
Madurai.
- 2.The Judicial Magistrate Court No.I,
Kumbakonam,
Thanjavur District.
- 3.The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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ORDER
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