



CRL OP(MD). No. 5831 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.S.Selvi
2.Gurunathan
3.Murali ...Petitioners/A1 to A3

Vs

1.State of Tamil Nadu rep. by
The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.91 of 2026) ...Respondent/Complainant

For Petitioners :Mr.S.Prabha
Advocate.

For Respondent :Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For Intervener :Mr.S.Vishnu Kanth

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.91 of
2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

WEB COPY The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 316(2), 318(4), 303(2), 296(b) and 115(2) of BNS, 2023, in Crime No.91 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband and the first accused are brother and sister and close relatives. The accused persons borrowed a sum of Rs.3,30,000/- from the defacto complainant for starting a farming business and thereafter, demanded some more money. The defacto complainant further had given 12 sovereigns of gold. On 21.05.2025, the accused persons had stolen some of jewels from the house of the defacto complainant. Hence, the case.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that there is a family dispute between the parties. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel appearing for the intervener would submit that the petitioners have illegally taken some of the jewels from the defacto complainant and also borrowed a sum of Rs.3,30,000/- from her and thereby, they cheated the defacto complainant and hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that there was a family dispute pending



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between the parties. He would further submit that the investigation is still pending and the offences are grave in nature. He fairly submits that the petitioners have no previous cases. However, he opposes to grant anticipatory bail to the petitioners.

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

7. Considering the rival submissions on either side and nature of offence and considering the fact that there was a family dispute pending between the parties and the alleged occurrence took place in the year 15.04.2025 and the jewels were entrusted in the year 2019, however the date of FIR is on 24.01.2026 and hence, there is a delay in filing FIR and no previous case is pending against the petitioners and hence, I am inclined to grant anticipatory bail to the



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petitioners, subject to the following conditions:

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[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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, and on further conditions that:

[b] the petitioners shall report before the respondent Police once in a week ie., on Every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

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

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



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[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 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].

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

(P D B J)

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To

- 1.The learned Judicial Magistrate, Periyakulam.
- 2.The Inspector of Police,
Thenkarai Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
IN
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