



CRL OP(MD). No.10426 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/06/2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

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Ayyalsamy

... Petitioner/ Accused No.2

Vs

State of Tamilnadu Rep b,
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No. 400 of 2025).

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Crime No. 400 of 2025 on the file of the
Respondent Police.

For Petitioner : A.Karthick Kumar,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 61(2), 316(2), 318(1), 318(2) and 351(2) of BNS, 2023, in Crime No.400 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed a sum of Rs.5 lakhs through A1 from the petitioner by mortgaging her house and vacant site but mortgage deed executed for Rs.7 lakhs and she also paid the interest amount regularly. On 22.11.2024, the petitioner contacted the defacto complainant through phone and spoke to her in a rude manner. Hence, the defacto complainant arranged the amount of Rs.4 lakh and handed over the same to A1. On receipt of the said amount, A1 promised to cancel the mortgage deed. Thereafter, she could not contact with him. On enquiry, she came to know that A1 cheated several persons in a similar manner. However, the petitioner continued to demand money from the defacto complainant even the same was already paid to A1. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he



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has no way connected in the above said incident. He would further submit that the petitioner has not received any amount from the defacto complainant and the entire amount was received only by A1 and no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there is a money dispute between the parties in respect of mortgage of the property and the investigation is still pending. Hence, he opposes to grant anticipatory bail to the petitioner. He would further submit that no previous case is pending against the petitioner.

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

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and there is a dispute between the parties in respect of mortgage of the property and even according to the prosecution, the alleged occurrence was took place on 22.11.2024 and FIR was registered on 04.10.2025 very belatedly, by this time, the



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material part of the investigation might have been completed, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, 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 copy made ready, before the **Judicial Magistrate Court, Nilakottai**, 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 learned Judicial Magistrate concerned and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 a.m. for a period of 4 weeks, and thereafter as and when required for the interrogation.

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

[d] the petitioner shall not abscond either during



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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 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.

08.06.2026

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P. DHANABAL,J

dss

To

- 1.The Judicial Magistrate Court, Nilakottai.
- 2.The Inspector of Police,
Batlagundu Police Station, Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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