



CRL OP(MD). No. 12106 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 06.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Hariharan

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
District Crime Branch
Theni District
(Crime No.16 of 2025)

...Respondent

For Petitioner : Mr.M.Sivakumar
For Intervenor : Mr.M. Maharaja
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.16 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 120(B), 408, 420, 468 and 471 of IPC in Crime No.16 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused misappropriated a sum of Rs.72,14,948 from 28.05.2024 and thereby caused huge loss to the Royal Enfield Showroom Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that for every money transaction of sales and service the petitioner handed over to his father-in-law and got signature from both the defacto complainant and his father-in-law and after some time the petitioner came to know that there was some mismanagement in insurance, extra fittings, road tax and RTO charges and they colluded with some financial companies and immediately the petitioner brought to the knowledge of the defacto complainant for which the defacto complainant and his auditor have threatened the petitioner and asked him to compromise

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with the illegal activities. Further the defacto complainant and his henchmen came to the house of the petitioner with deadly weapons and threatened the petitioner for which he has also lodged complaint. He would further submit that 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 the petitioner along with other accused misappropriated a sum of Rs.72,14,948 and caused huge loss to the Royal Enfield Showroom. The amount involved in this case is huge. Hence, he opposes to grant anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervenor would submit that the accused persons have misappropriated a sum of Rs.72,14,948/- He would further submit that the first accused is the main accused in this case and till date no accused persons were secured and the misappropriated amount was not recovered till date. Hence he opposed to grant anticipatory bail to the petitioner.

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



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7. Considering the rival submissions on either side and the considering the fact that the petitioner had already appeared before the police for enquiry and there was some money transactions between the parties and also the fact no previous case is pending against the petitioner and though the First Information has been registered in the year 2025 so for the accused has not been secured and also considering the date of registration of the First Information Report and also the fact that major part of the investigation might have been completed by this time, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is 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 , Theni, 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 offences of similar



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[d] the petitioner shall not abscond either during 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.

(P D B J)
06.04.2026

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To

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- 1.The Judicial Magistrate, Theni
- 2.The Inspector of Police,
District Crime Branch
Theni District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

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ORDER
IN
CRL OP(MD) No. 12106 of 2025

Date : 06.04.2026