BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 19813 of 2025

1. Irulappan
2.Vimala ...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
District Crime Branch
Madurai
(Crime No. 19 of 2025) ...Respondent

For Petitioners : Mr.N.Anantha Padmanabhan, Senior Counsel
Advocate.
For Intervenor : Mr.D.S.Haroon Rasheed
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. 19 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 406,420 and 120(B) of IPC in Crime No. 19 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner herein and the de facto complainant's husband Chinnaraja are working in the Tamil Nadu Police Department and they are very close friends. The husband of the defacto complainant has possession of money to the tune of Rs.25,00,000/- by obtaining loan from bank and by pledging jewels. The said amount was kept by the de facto complainant for purchase of land. The 2nd petitioner herein borrowed a sum of Rs. 12,00,000/- from the defacto complainant for purchasing paddy harvest machine which is having a sale price of Rs. 35,00,000/-, the accused were already in possession of Rs.23,00,000/-and due to insufficiency of funds to complete the purchase, the petitioners requested an additional amount of Rs.12,00,000/- on various occasions, which was lent by the de facto complainant. Further apart from the aforesaid Rs.12,00,000/-, the accused also borrowed an additional sum of Rs. 2,00,000/- from the complainant to pay a penalty imposed on them by the

Electricity Board. Thereafter failed to repay the said money borrowed by the accused.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the first petitioner is the Special Sub-Inspector of police and the second petitioner is his wife. The de facto complainant's husband by name Chinna Raja who is working along with the petitioner in the same police station used to discuss about various investments. One of the 1st petitioner's colleagues by name Hemendra Kumar who was working at Chennai had resigned his job as a police cop and was working as a collection agent for a money spinning finance company and also invested his retirement benefits in LNS International Financial Services Limited, Jawaharlal Nehru Road, Thiru Vi Ka Nagar, Industrial Estate, Guindy, Chennai, The 2nd petitioner who is friend on 1st petitioner also, visited the petitioners' house and interested in making better income and the 2nd petitioner decided to invest funds in that company. The transaction was made through her bank account and the monthly interest was regularly being credited to her account, while so second petitioner and came to know about the fact of the deposits being

made to the company. He and his wife came to petitioners' house in the month of February, 2022 and insisted upon them to introduce them to the company to make deposit. Though initially deposit was made in their names, directly, when they started getting interest, they borrowed huge amount and the amount that was credited in their account they used to transfer it to the second petitioner's account for the purpose of making fresh deposit with the company. The company also credited the money to the 2nd petitioner. whenever the company used to credit interest into the 2nd petitioner's account, she used to re-transfer it to the de facto complainant's wife's account. All the bilateral transactions and entries are borne out on records. As such the de facto complainant and family were regularly receiving interest on their deposits, only in that manner they had deposited an amount of Rs.25,00,000/-into finance company through the second petitioners account. Unfortunately, when the financial transactions in the said company came to a standstill, due to some reason of the other, the petitioners had lost their deposits and the 1st petitioner went to Chennai to register a complaint and came to know already a complaint has been registered and in that the 1st petitioner was cited as a witness wherein S.No. 3621. Further the 1st petitioner have informed the turn out to the de facto complainant but he did not choose to make a complaint for more than a year and has made this complaint stating that only because of the petitioners, he invested and that the petitioners are responsible to repay the amount to him. The story of the petitioners owning of 25 acres of land is an absolute falsehood. Having suffered a loss on the one side, neither the 1st petitioner nor 2nd petitioner made any illegal gain by dealing with the de facto complainant's funds. The defacto complainant has caused threat to the liberty of the petitioners by making a false complaint. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel appearing for the intervenor would submit that Defacto Complainant is a housewife and her husband namely Chinnaraja joined as a Grade II Police Constable in the year 2010 and subsequently from 2018 to 2022 was working as a Grade- I Constable at Nagamalai Pudukkottai Police Station, Madurai District. The Defacto Complainant possessed Rs.23,00,000/- and decided to purchase land, since land values are too high in that locality for which on 12.04.2021 the Defacto Complainant pledged her jewels for a sum of Rs.3,00,000/- at SBI Bank. Nagamalai Pudukkottai. Totally the Defacto Complainant had an amount of Rs.26,00,000/-. At that time there was a transfer to the Defacto Complainant's husband Nagamalai Pudukkottai to the Sholavandhan Police

Station. Further the first accused was working as a Special Sub Inspector of Police, at Sholavandhan Police Station and there was a good relationship between the Defacto Complainant's husband and the 1st Accused, for which, the Defacto Complainant's husband exposed his willingness about the purchase of land to the 1st Accsued, on that time the 1ª Accused at giving alluring words demanded an amount of Rs.2,00,000/- so as to pay the fine imposed by the TANGEDCO in his agricultural land and the Defacto Complainant's husband has given an amount and the same was also returned. Due to the said reason, there was a cordial relationship between both of them. Again the 1st Accused demanded Rs.12,00,000/- for the purchasing the agricultural cultivating machine and he assured to return the said amount within a period of 6 months. The Defacto Complainant on two occasions paid the amount, initially Rs.7,00,000/- has been paid on 24.02.2022 in the Account No.614801501739 and another Rs.5,00,000/- paid on 25.02.2022 for the sum of Rs.12,00,000/- in the Account No. of the 2nd Accused No.612101011454. Thereafter, again the Accused demanded Rs.6,00,000/- and assured to return the same. Based on his believing words on 25.03.2022 Rs.4,00,000/- and 12.04.2022 Rs.2,00,000/-amount has been paid through the Account and thereafter, the Accused demanded the amount for their need. Hence on 07.05.2022 Rs.4,00,000/- had been given and

26.06.2022 Rs.2,00,000/- had been given finally on 04.07.2022 Rs. 1,00,000/- given a totally a sum of Rs.25,00,000/- had been given to the account of the 2nd Accused. The Accused persons had return of Rs. 4,58,491/- and has to repay the amount of Rs.20,49,509/-. Whenever the Defacto Complainant demanded the amount they have given evasive reply and the Accused person cheated the amount of Rs.20,49,509/-. hhence he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) would submit that the offences are grave in nature and the investigation is at initial state and he reiterated the arguments of the intervenor. Hence , 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 also considering the fact that the occurrence took place from 20.04.2022 to 25.07.2024 and the First Information Report has been registered on 24.06.2025 and there is a delay in registering the First Information Report and also the fact there is a dispute between the parties in respect of payment

of money for the loan transactions and even as per the First Information Report part amount was paid by the petitioners and also the fact that no previous cases are pending against the petitioner this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Madurai, and on further conditions that:

[b] the petitioners shall report before the respondent police, on every Saturday at 10.00 a.m. until further orders.

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

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

[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 petitioners 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)
08.04.2026

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To

1.The Judicial Magistrate No.I, Madurai

2.The Inspector of Police,
District Crime Branch
Madurai

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

P. DHANABAL, J

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ORDER
IN
CRL OP(MD) No. 19813 of 2025

Date : 08.04.2026