



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

The HONOURABLE JUSTICE MR. K.K.RAMAKRISHNAN

CRL OP(MD). No.23181 of 2025

A.Vellaiyan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep.,By,
The Inspector of Police,
D1, Thallakulam Police Station,
Madurai City.
(Crime No.1068 of 2025)

... Respondent/Complainant

2.R.Mahendran

... Respondent/Defacto
Complainant

(R2 is suo motu impleaded vide order dated 17.12.2025 by SSYJ)

For Petitioner : Mr.C.Sasikumar

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

For Intervener : Mr.VP.Rajan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.1068 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Section 318(4) of BNS, 2023 (Corresponding Section 420 of IPC), in Crime No.1068 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. According to the prosecution, the complainant is conducting milk business and he supplied milk to the petitioner's Women Hostel from 28.12.2022 and the due amount is Rs.11,98,272/-. The petitioner failed to repay said amount and also gave a cheque bearing No.000146 for the value of Rs.6 lakhs and the same was dishonoured for the reason "Payment Stopped by Drawer". Hence, the respondent police registered a case against the accused for the aforesaid offences. Hence, this petition.



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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the complainant is the Managing Director of Shanthi Gram Dairy Promotion in Dindigul Bazaar, Dindigul, and this is the charitable trust for the welfare of the village women, and its work is giving cattle to the village women for debt and collecting milk from the cattle. The alleged dispute is in the nature of the commercial transaction and there is no criminal element in the entire reading of the FIR. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) and the counsel for the intervener strongly opposed to grant anticipatory bail to the petitioner stating that the petitioner cheated the defacto complainant and failed to repay the amount. On repeated demand, he issued a cheque for discharging the debt and the same was returned with endorsement “Payment Stopped by Drawer” and the investigation is in preliminary stage.



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5. Even as per the allegation, according to the complainant, the petitioner failed to repay the amount for the supply of milk. It is the case of the petitioner that the same was commercial transaction and the complainant's remedy is elsewhere. Considering the same, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(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;



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(b) the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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 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]* and;

(f) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

12.03.2026

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K.K.RAMAKRISHNAN,J.,

dss

To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Inspector of Police,
D1, Thallakulam Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**ORDER
IN
CRL OP(MD). No.23181 of 2025**

Date : 12.03.2026