



CRL OP(MD). No.23658 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Thangaiyan

2. Santhi

... Petitioners/Accused

Vs

The State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Thanjavur.
(In Crime No.4 of 2018)

... Respondent/Complainant

For Petitioners : Mr.Ananthkumar.M

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.4 of 2018 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 468, 471 and 406, in Crime No.4 of 2018, seek anticipatory bail.

2. The case of the prosecution is that A-1, the proprietor of Eagle Christ NRI Foundation, advertised interest-free loans in Daily Thanthi. Believing the said advertisement, the defacto complainant deposited sums of Rs.25,200/- and Rs.35,000/- in installments, relying on the representations made by A-2 to A-12, who were working in the trust office at the relevant time. Thereafter, a cheque for Rs.2,00,000/- issued by the trust was returned unpaid due to insufficient funds. Upon enquiry, the staff informed the defacto complainant that A-1 had left and his whereabouts were unknown. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the



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co-accused have already been released on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the offences committed by the accused are serious in nature. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Thanjavur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for



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a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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;

(b) the first petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) and the second petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only), to the credit of Crime No.4 of 2018 before the learned Judicial Magistrate No.II. Thanjavur. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.4 of 2018. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgmen

(c) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;



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(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 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]*; and;

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

(S S Y J)
05.01.2026

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1. The Judicial Magistrate No.II,
Thanjavur.
2. The Inspector of Police,
District Crime Branch,
Thanjavur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

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ORDER
IN
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