



CRL OP(MD). No.23792 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.23792 of 2025

Emalda Mary @ Emelly

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.29/2025).

... Respondent/Complainant

For Petitioner : Mr. M.Vivek Bharathi,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

For intervenor : Mr. Malaiyendran

PRAYER :-

For Anticipatory Bail in Crime No. 29/2025 on the file of the
respondent Police.

ORDER : The Court made the following order :-

1/6



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(1), 316(4), 318(3), 318(4) and 351(2) of BNS, 2023 in Crime No.29 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein who is working as an employee in defacto complainant's office mis-appropriated the funds. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed and if the petitioner is directed to deposit a sum of Rs.1,00,000/- to the credit of crime number, the same would suffice to grant anticipatory bail to the petitioner, with other conditions.



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5. 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 learned Judicial Magistrate No.II, Dindigul, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, 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;

(b) the petitioner is directed to deposit a sum of Rs. 1,00,000/- (Rupees One Lakh Thousand only) to the credit of Crime No.29 of 2025 before the learned Judicial Magistrate Court concerned. On such deposit, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner. Thereafter, the learned 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.29 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

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

(e) the petitioner 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 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;

(g) if the accused/petitioner thereafter abscond, a fresh



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FIR can be registered under Section 269 of BNS, 2023.

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(S S Y J)
29.01.2026

TRP

TO

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



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S.SRIMATHY,J

TRP

ORDER
IN
CRL OP(MD) No.23792 of 2025

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