

TNMD010018472026 TNMD010018462026



In the Court of the Principal Sessions Judge, Madurai.

Present : **Thiru. S. SHUNMUGAVEL B.A., B.L.,**
 (II Additional District Judge (CBI Cases) , Madurai)
 Principal Sessions Judge (i/c), Madurai.
 (Authorised U/s.8(8) of BNSS)

Tuesday, this the 17th day of March, 2026.

CrI.M.P.No.1140/2026 & 1171/2026

CNR No.TNMD010018472026 TNMD010018462026

Raisha, D/o.Raffudeen

... Petitioner/Accused
 in CrI.M.P.No.1140/2026.

Yasmin @ Yasmin Sheriffa, W/o.Ibrahim

... Petitioner/Accused
 in CrI.M.P.No.1171/2026.

Vs

Divya, W/o.M.Balaji

...Intervene Petitioner
 in CrI.M.P.No.1140/2026.

State through the Inspector of Police,
 Thallakulam P.S. in Cr.No.129/2026

... Respondent/Complainant
 in both e-petitions.

These e-petitions coming on today for hearing before me in the presence of Thiru.S.V.Shanmugarajan, Advocate for the petitioner in CrI.M.P.No.1140/2026, Thiru.R.Kannan, Advocate for the petitioner in CrI.M.P.No.1171/2026, Thiru.K.Althaf Sherif, Advocate for the intervene petitioner in CrI.M.P.No.1140/2026, and of Public Prosecutor for the state, this court passed the following:

Common Order

1. Anticipatory Bail applications u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).
2. The learned counsel for the intervening petitioner/defacto-complainant has filed an intervening petition in Cr.M.P.No.1140/2026 and he is permitted to assist the Public Prosecutor.
3. Heard both sides.

4. The learned counsel for the petitioners/accused in Cr.M.P.Nos.1140 & 1171/2026 would submit that the respondent police registered a case against the petitioners and another in Cr.No.129/2026 for the offences u/s 406 & 420 of IPC. The petitioners are innocent and they have not committed any offences as alleged. The petitioner/A2 is the daughter of A1. A3 is their close relative. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioners apprehend arrest at the hands of police and they are ready to abide by any conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the petitioner/A2 in Cr.M.P.No.1140/2026 would further submit that no amount was deposited in the bank account of A2. During the course of alleged occurrence, A2 was minor and joint account was maintained in the name of A2 and her mother(A1). A2 is the student of Vadamalayan Hospital. A2 is in no way connected with the alleged money transactions between A1 and the defacto-complainant. Custodial interrogation of A2 is not necessary and prayed to allow the petition.

6. The learned counsel for the petitioner/A3 in Cr.M.P.No.1171/2026 would further submit that as per the instructions of A1, the petitioner/A3 got the gold chain from the defacto-complainant and handed over the same to A1 and that the petitioner/A3 has no specific overt act and prayed to allow the petition.

7. The learned Public Prosecutor and the learned counsel for the intervening petitioner submitted that totally there are 3 accused in this case and the petitioners are A2 and A3. As per the case of the prosecution, A1 to A3 have received a sum of Rs.30 Lacs from the defacto-complainant on the pretext of arranging a loan of Rs.1 Crore and also a gold chain weighing 13 sovereigns from the defacto-complainant. Later, neither the loan was arranged nor the amount was repaid. Moreover, the gold chain was also not returned to the defacto-complainant. Hence, the complaint. Investigation is pending and objected to grant anticipatory bail to the petitioners.

8. Rival contentions are taken into consideration. The alleged offences against the petitioners /accused are u/s 406 & 420 of IPC.

9. The learned counsel for the petitioner/A2 submitted that her date of birth is 18.12.2004, the occurrence is said to have taken place during the year 2022, at that time, the petitioner/A2 was minor, no amount was transferred to her bank account and produced copy of her Birth Certificate and bank pass book to substantiate the same. On perusal of copy of bank pass book, it seems that there is no transfer of amount into the bank account of A2 during the relevant period. Subsequently, after becoming major, A3 has opened a new bank account, in which also, it seems that there is no money transactions taken in her bank account. The petitioner/A2 is the daughter of A1 and is studying B.Sc. in Vadamalayan Hospital, Madurai. Under such circumstances, considering the above facts, this court is inclined to grant anticipatory bail to A2 on conditions. So far as A3 is concerned, the learned Public Prosecutor strongly objected stating that custodial interrogation of A3 is very much essential and that A1 and A3 have colluded and as per the instructions of A1, the petitioner/A3 collected the gold chain weighing 13 sovereigns from the defacto-complainant and handed over the same to A1. Hence, in view of the above facts, the nature of offences, the specific overt act attributed against A3, the pending stage of investigation and the strong objections placed on the side of prosecution, this court is not inclined to grant anticipatory bail to A3.

In the result, in the event of arrest or on her surrendering before the Court concerned the petitioner in Cr.M.P.No.1140/2026 is ordered to be released on anticipatory bail on her executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.II, Madurai subject to the following conditions:-

(i) The petitioner in Cr.M.P.No.1140/2026 shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioner Cr.M.P.No.1140/2026 shall appear and sign before the Inspector of police, Tallakulam AWPS daily at 06.00 p.m. for a period of 30 days.

(iii) The petitioner shall co-operate with the investigation and shall not threaten the witnesses. He shall not induce witnesses and shall not cause hindrance to the pending investigation.

(iv) If there is any violation of condition, the Investigation officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

So far as the petitioner in Cr.M.P.No.1171/2026 is concerned, the petition is dismissed.

Pronounced by me in the Open Court on the 17th day of March, 2026.

Principal Sessions Judge (i/c),
Madurai

Copy to

1. The J.M.No.2. Madurai.
2. The Inspector of Police, Thallakulam P.S.
3. The Inspector of police, Tallakulam AWPS
4. The Petitioners through their counsels.