

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Friday, the 27th day of March, 2026

CrL.M.P.No:693/2026

Suresh, S/o Agasthian,

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Ennore Police station

(Crime No.562/2024)

.....Respondent/Complainant

Muthusami, S/o Ranganathan,

...defacto complainant / intervener

Petition dated: 16.02.2026 u/s 482 of BNSS praying to grant anticipatory bail to petitioner

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s R. Vignesh the respondent police through the Public Prosecutor, and M/s R. Dineshkumar, M. Shankar, D. Priyadarshini, N. Parimala, counsel for the intervener, upon hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 482 of BNSS seeking to grant anticipatory bail to the petitioner who apprehends arrest in Crime No.562/2024 on the file of Ennore Police station, registered for the offence u/s 406, 420 IPC.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only due to money dispute, he has been falsely implicated, this is purely a civil and money dispute for which the complaint was already closed, but the defacto complainant approached the court concerned and obtained directions. It is only out of monetary dispute between private financial transactions between the petitioner and the defacto complainant, during the period of June 2021, the petitioner requested Rs.12,00,000/- as debt with repayment, and he was paying EMI at Rs.28000/- every month. On 02.01.2023, the defacto complainant approached petitioner and requested for debt agreement the loan, and petitioner was paying EMI till March 2023, thereafter, due to severe financial constraints, he was unable to continue the payment, the petitioner assured the entire amount would be paid for reasonable time, which was also accepted by the defacto complainant and on 11.01.2024, when the defacto complainant proposed that remaining Rs.5,98,237/- to be paid by lumpsum and , and repaid the same on 09.02.2024, The defacto complainant did not give original signed settlement agreement, even though he promised to give the same in a week along with original debt agreement, he did not return the original documents instead with the intention to extract more money, lodged this false complaint, the petitioner appeared before the police on service of notice u/s 35 of BNSS on 10.02.2026, and will abide by any condition, therefore prayed for granting the anticipatory bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that the defacto complainant lodged the complaint stating that , the petitioner and the defacto complainant are colleagues at ITC company, the petitioner obtained Rs.4,45,000/- in his name on 01.07.2021, , for which the petitioner represented that he will pay the EMI and the amount was transferred, again on 06.07.2021, he

again taken another amount, he had paid Rs.28000/-, in the month of January 2023, only upto 17 months he paid the EMI, thereafter, he failed to repay the loan, he issued cheque Rs.905761/- which was expired, thereafter, he switched off his mobile phone, and absconding, when the defacto complainant approached his house and demanded for payment, he started to threaten her with dire consequences, based on the complaint, FIR was registered , two accused were arrested, no amount was recovered, and the investigation is pending.

The learned counsel for the intervener submitted that the petitioner evaded to pay more than Rs.9 lakhs which is still not recovered. Only if the petitioner is secured, the money could be recovered, hence prayed to dismiss the petition.

The petitioner states in this petition that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, investigation is still pending and the alleged offence is serious in nature and the alleged amount is not recovered,

Therefore, on considering

- (i) grave nature of offence
- (ii) investigation is pending
- (iii) premature stage,
- (i) huge value of the amount allegedly involved , which is not yet recovered
- (ii) the petitioner who seeks anticipatory bail cannot claim parity with the arrested and released accused,
- (iii) and also considering other facts and circumstances,

this Court is not inclined to grant anticipatory bail to the petitioner.

In the result, this petition is dismissed.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 27th day of March , 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s R. Vignesh
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate Thiruvottiyur
The Inspector of Police, Ennore Police station
The Intervener's Advocate M/s R. Dineshkumar