

(2026) 03 MAD CK 0990

In the Madras High Court

Case No : Criminal Original Petition No. 7901 Of 2026

Rani

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 30-03-2026

Acts Referred:

Indian Penal Code, 1860 — Section 205, 210, 419, 420, 466, 467, 468, 471
Bharatiya Nyaya Sanhita, 2023 — Section 242, 247, 269, 318(4), 319(2), 336(3),
337, 338, 340(2)

Citation : (2026) 03 MAD CK 0990

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : R.Rajadurai, S.Vinoth Kumar

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 12.02.2026 for the offences under Sections 205, 210, 419, 466, 467, 468, 471 and 420 of IPC (Sections 242, 247, 319(2), 337, 338, 336(3), 340(2) and 318(4) of BNS, 2023), in Crime No.1 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the co-accused, who were an Advocate and an Advocate Clerk, had committed acts of impersonation, forgery, fabrication of records and misappropriation of compensation amounts awarded in M.C.O.P.No.416 of 2005, M.C.O.P.No.544 of 2012 and M.C.O.P.No.297 of 2014. The allegation against the petitioner is that she, along with the other co-accused, had misappropriated court funds to the tune of Rs.8,75,000/-. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. It is his specific submission that since the co-accused have already

deposited the misappropriated amount, the first and second accused were enlarged on bail vide orders dated 09.03.2026 and 26.03.2026 in CrI.O.P.Nos.5162 and 7619 of 2026. Hence, he prayed to enlarge the petitioner on bail.

4. The learned Government Advocate (CrI. Side), while opposing the grant of bail to the petitioner, fairly submitted that the total misappropriated amount is Rs.8,75,000/- and that the first accused had filed an affidavit undertaking to deposit the said amount and accordingly, he was enlarged on bail vide order dated 09.03.2026 in CrI.O.P.No.5162 of 2026 and has subsequently deposited the same. Based on such deposit, the Advocate Clerk was also enlarged on bail vide order dated 26.03.2026 in CrI.O.P.No.7619 of 2026.

5. Considering the above facts and circumstances, the period of incarceration undergone by the petitioner, and the fact that the co-accused have already been enlarged on bail, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate – I, Kanchipuram, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period four weeks and thereafter appear before the respondent police daily at 10.30 a.m. for a further period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.