

(2026) 03 MAD CK 0973

In the Madras High Court

Case No : Criminal Original Petition No. 7176 Of 2026

V. Logesh

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 23-03-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 61(2), 269, 318(4), 336(2), 336(3)
Indian Penal Code, 1860 — Section 120B, 420, 465, 468

Citation : (2026) 03 MAD CK 0973

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : R.Prabhavathy, S.Vinoth Kumar, K.Thanigaivel, K.Narayanan

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 10.02.2026 for the alleged offences under Sections 61(2), 318(4), 336(2), 336(3) of BNS 2023 (120B, 420, 465, 468 of IPC) in Crime No.543 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de facto complainant has lodged a complaint alleging that the petitioner herein with other accused has forged NOC with an intention to cheat the de facto complainant. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner is the husband of A1. He also submitted that A1 has already been granted anticipatory bail in CrI.MP.No.474 of 2026 dated 17.02.2026. He further submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that already

A1 and A2 have already been released on anticipatory bail and these petitioners have created fake NOC and thereby cheated Rs.16 lakhs. He further submitted that the petitioners have been incarcerated since 10.02.2026. Hence, he opposed the grant of bail to the Petitioner.

5. In support of the prosecution, Mr.K.Thanigaivel, the learned counsel for the Intervenor also raised serious objection for the grant of bail to the petitioners.

6. I have given my anxious consideration to either side submissions and perused the materials available on record.

7. From the submissions made by the learned counsel on either side, it is seen that A1 and A2 have already been enlarged on anticipatory bail and this petitioner is only A3 in this case, who is the husband of A1. Considering the long incarceration of the petitioner since 10.02.2026 and the nature of allegation against him, this Court is of the view that by this time, investigation might have been completed. Hence, this Court is inclined to enlarge the petitioner on bail on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate-I, Tambaram, and on further conditions that:

[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 daily at 10.30 a.m., for a 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.