# IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE AJAY KUMAR NIRANKARI

ON THE 18th OF AUGUST, 2026

MISC. CRIMINAL CASE No. 38769 of 2026

*GOVINDAPPA JAYARAMAIAH*
*Versus*
*THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Sandeep Kumar Sen - counsel for the applicant

Shri Bhanu Pratap Yadav - counsel for the complainant

Ms.Shivani Raikwar - counsel for the complainant

Shri Amit Pandey - Government Advocate for State

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## ORDER

This is first application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by applicant for grant of anticipatory bail relating to FIR/Crime No.149/2024 registered at Police Station Bamhori Kala, District Teekamgarh(M.P.), for the offences punishable under Section 420, 467, 468, 471 read with Section 34 of IPC.

2. As per the prosecution case, the complainant lodged a complaint on 13.07.2024 alleging that various persons, by posing themselves as representatives of SBI Life, Bharti AXA, Kotak Life and other institutions, obtained a total amount of Rs.26,11,808/- from him through various bank accounts and electronic modes by making false representations, using forged documents, and giving misleading assurances in the name of insurance

policies, policy bonuses, cancellation of policies, and release of funds. During the course of investigation, it is revealed that a total amount of Rs.15,15,639/- was fraudulently transferred by the complainant, in several installments, into the applicant's bank account bearing Account No. 109401003397 between 06.07.2023 and 26.12.2023. The said amount prima facie appears to be the proceeds of the alleged crime.

3. As per the facts of the case the petitioner is a senior citizen aged about 78 years. He is a retired IFS Officer and an Ex-serviceman who has served the Nation and the Government with distinction for several decades. The petitioner retired from service in the year 2008 and, thereafter, has been leading a peaceful retired life at Tumakuru, Karnataka. In the year 2023, the petitioner received an unknown message/call on his mobile phone from a person who introduced himself as someone who could assist the petitioner in obtaining an insurance amount. The said person sought and obtained details of the petitioner's bank accounts bearing Nos. 109405000815 and 109401003397 maintained with ICICI Bank, Tumakuru Branch, Tumakuru. Owing to his advanced age and the belief that he was required to receive an insurance amount, the petitioner placed faith in the said caller and, in the course of the interaction, inadvertently disclosed details relating to his debit card to the said unknown person. Thereafter, the petitioner had no further communication with or knowledge of the activities of the said person. It is submitted that on 24.06.2026, the police called upon the petitioner to appear at the police station in connection with a crime registered as Crime No. 149/2024 dated 13.07.2024 at Bamhori Kala Police Station,

Tikamgarh District, Madhya Pradesh, for offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC. The petitioner came to know that his name had been shown as accused No. 9 in the said crime. Upon making enquiries, the petitioner learnt that amounts allegedly transferred to his bank account had subsequently been withdrawn by unknown persons at various places in Madhya Pradesh. The petitioner had neither authorised nor participated in any such transactions and had no knowledge whatsoever regarding the withdrawal or utilisation of the said amounts. The mere fact that certain transactions passed through his bank account does not establish his involvement in the alleged offences.

4. Counsel for the applicant submits that the petitioner is aged about 78 years and uses only a basic keypad mobile phone. Owing to his advanced age, he suffers from various age-related ailments, including blood pressure, diabetes and urinary infection, and occasionally experiences difficulty in recalling past incidents. He has also undergone knee replacement surgery. His advanced age and medical condition are relevant circumstances which warrant appropriate protection from arrest. The petitioner is a permanent resident of Karnataka. In order to secure interim protection from arrest and to enable him to approach the competent court in Madhya Pradesh, he had approached the Hon'ble High Court of Karnataka at Bengaluru by filing Criminal Petition No. 9230/2026 seeking transit bail. The said petition was allowed by the Hon'ble High Court of Karnataka vide final order dated 29.06.2026. It is submitted that the petitioner is completely innocent and has been falsely implicated in the aforesaid crime. He has not knowingly

participated in, facilitated or derived any benefit from the alleged transactions. The circumstances narrated above demonstrate that the petitioner himself appears to have been deceived by an unknown person, who obtained his banking and debit-card details by representing that he would assist the petitioner in obtaining an insurance amount. The petitioner undertakes to cooperate with the investigation and to appear before the Investigating Officer as and when required, subject to reasonable notice. The petitioner further undertakes not to tamper with the evidence or influence any witness and to abide by any conditions that may be imposed by this Hon'ble Court.

5. Counsel for the applicant submits that the applicant is completely innocent and has no connection whatsoever with the alleged offence. He has been falsely implicated in the present case and, therefore, deserves to be enlarged on bail. Because the Applicant is a permanent and verifiable resident of Karnataka and has deep roots in society. He has no previous criminal antecedents and there is no possibility of his absconding or fleeing from justice. The Applicant undertakes not to influence any witness, tamper with evidence, or interfere with the investigation in any manner. Although the alleged offence is economic in nature, the mere nature of the offence does not justify denial of pre-arrest bail. The role of the Applicant is not specifically established, and custodial interrogation is not required. Therefore, the Applicant deserves protection of his personal liberty. The Applicant undertakes to fully cooperate with the investigation and to make himself available for interrogation as and when required. He further

undertakes to regularly appear before the concerned Court, not to leave India without permission, not to tamper with evidence or influence any witness, and to comply with all conditions imposed by this Hon'ble Court. The applicant has a genuine apprehension of arrest, and the allegations against him do not disclose any specific or active role. Therefore, his liberty deserves to be protected. There is no direct, indirect or circumstantial evidence showing the involvement of the Applicant in the alleged offence. The complaint/FIR does not disclose how the Applicant actively participated in the commission of the alleged offence. Therefore, no useful purpose would be served by arresting or keeping the Applicant in custody. The allegations made against the Applicant are general, vague and omnibus in nature, and no specific overt act has been attributed to him. The applicant has been unnecessarily implicated in the present case. He submits that custodial interrogation of the Applicant is not required. The Applicant is a law-abiding citizen and is ready and willing to fully cooperate with the investigation. The Applicant has no previous criminal antecedents and has always been a law-abiding citizen. Because the Applicant is only 33 years of age and the trial is likely to take considerable time for its conclusion. Continued incarceration would cause serious prejudice to the Applicant and his future. He submits that incarceration of the Applicant would adversely affect his mental well-being, family life and future prospects, particularly when his custodial interrogation is not required and he is ready to cooperate with the investigation. The Applicant undertakes to regularly appear before the concerned Court and to participate in the trial, subject to any lawful exemption granted by the Court. In view of the above facts and circumstances, the Applicant respectfully submits that he deserves to be enlarged on bail in the interest of justice.

6. Per contra, counsel appearing for the State has opposed the application for anticipatory bail and submitted that the allegations against the applicant are serious in nature and relate to an economic offence involving cheating, forgery and use of forged documents. It is submitted that, as per the prosecution case, the complainant was induced by various persons who represented themselves to be officials or representatives of SBI Life, Bharti AXA, Kotak Life and other institutions and, on the pretext of insurance policies, policy bonuses, cancellation of policies and release of funds, obtained a total amount of Rs.26,11,808/- from the complainant through various bank accounts and electronic modes. Learned counsel for the State submits that during the course of investigation, it has been revealed that an amount of Rs.15,15,639/- was transferred by the complainant, in several instalments between 06.07.2023 and 26.12.2023, into the applicant's bank account bearing Account No. 109401003397. Thus, the Applicant's bank account was directly used for receiving the alleged proceeds of the crime. It is further submitted that the amount received in the Applicant's account prima facie constitutes the proceeds of the alleged offence and, therefore, the Applicant's involvement cannot be ruled out at this stage. The defence of the Applicant that his bank account was misused by an unknown person is a matter of investigation and cannot be accepted at this stage without proper verification of the relevant banking transactions, electronic evidence and

other material collected during investigation. Learned counsel for the State further submits that the Applicant has been shown as accused No.9 in Crime No.149/2024 registered at Police Station Bamhori Kala, District Tikamgarh, Madhya Pradesh, for offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC. The investigation is still in progress and the role of the Applicant, as well as the manner in which the funds were received and subsequently withdrawn, requires detailed investigation. It is submitted that the mere fact that the Applicant is a senior citizen or has certain age-related ailments cannot, by itself, be a ground for granting anticipatory bail when the allegations disclose the involvement of his bank account in substantial monetary transactions forming part of the alleged offence. Learned counsel for the State submits that custodial interrogation may be necessary to ascertain the circumstances in which the Applicant's bank account was used, the person who operated or accessed the account, the details of the debit-card transactions, the identity of the persons who withdrew the money, and the connection, if any, between the Applicant and other persons involved in the alleged offence. It is further submitted that the investigation may require confrontation of the Applicant with the relevant bank records, transaction details, electronic evidence and other material collected by the Investigating Agency. Grant of anticipatory bail at this stage may adversely affect the investigation and may make it difficult for the Investigating Agency to ascertain the complete money trail and the role of each accused person.

7. I have heard the submissions made by counsel for parties and

perused the case diary.

8. Having considered the rival submissions and the material available on record, this Court is of the considered view that, at this stage, the mere fact that an amount was credited into the bank account of the applicant, by itself, would not be sufficient to conclude that the applicant was knowingly involved in the commission of the alleged offences. The applicant has furnished a specific explanation that his bank and debit-card details had been obtained by an unknown person on the pretext of assisting him in obtaining an insurance amount and the subsequent transactions were carried out without his knowledge. The applicant is admittedly aged about 78 years and is a retired IFS Officer and Ex-serviceman. He is stated to be a permanent resident of Karnataka and has no criminal antecedents. There is nothing brought on record at this stage to demonstrate that the applicant is likely to abscond, flee from justice, influence witnesses or tamper with the evidence. The allegation regarding the use of the applicant's bank account and the subsequent withdrawal of the amounts can substantially be investigated through banking records, electronic transaction details and other documentary material. The prosecution has not pointed out any specific overt act attributed to the applicant showing that he personally induced the complainant, prepared or used forged documents, or represented himself as an agent of any insurance company.

9. Considering the advanced age of the applicant, absence of criminal antecedents, his and the fact that the material allegations primarily relate to banking and electronic transactions which can be investigated

through documentary and electronic evidence, this Court is of the view that custodial detention of the applicant is not shown to be indispensable at this stage. It is also clarified that the observations made herein are confined to the consideration of the present application for anticipatory bail and shall not be construed as an expression of opinion on the merits of the prosecution case.

10. Accordingly, the bail application filed by the applicant is hereby **allowed**.

11. Looking to the facts and circumstances of the case and without commenting on the merits of the case, anticipatory bail application filed by the applicant is allowed. It is directed that if the applicant is arrested by the police, then he shall be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety of the like amount to the satisfaction of the Investigating Officer/Arresting Authority.

12. Applicant shall abide by the following conditions under Section 482(2) of B.N.S.S.:-

(a) Applicant shall make himself available for interrogation by a Police Officer as and when required;

(b) He shall not, directly or indirectly, make any inducement, threat or promise to complainant or witnesses;

(c) He shall not leave India without the previous permission of the Court;

(d) He shall not commit similar offence, of which, he is accused or suspected.

(e) He will further abide by the conditions enumerated in Sub-section (3) of Section 480 of the B.N.S.S.

Certified copy as per rules.

**(AJAY KUMAR NIRANKARI)**
**JUDGE**

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