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Crl.O.P.No.16011 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.16011 of 2026

1.Bharathi
2.Viji Stella

... Petitioner(s)

Vs.

State represented by,
The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai.
Crime No.172 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.172 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr.D.K.Nepolian
for Mr.T.Arul

For Respondent(s) : Mr.N.Palanivel,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 420 and 406 of IPC in Crime No.172 of 2026 on the file of the respondent police seek anticipatory bail.



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2. The case of the prosecution is that the petitioner is alleged to have received a sum of Rs.1,50,000/- from the *de facto* complainant towards the sale consideration for the purchase of the property and thereafter, cheated the *de facto* complainant.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, while opposing the grant of anticipatory bail, reiterated the prosecution case and submitted that The petitioner cheated the *de facto* complainant to the tune of Rs.1,50,000/- by making a false promise to purchase the property.

5. At this juncture, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition as against the 2nd petitioner and he has also made an endorsement to that effect.

6. In view of the submission and endorsement made by the learned counsel for the petitioner, **this Criminal Original Petition stands dismissed as against the 2nd petitioner.** In so far as the first petitioner is concerned, taking



into consideration the totality of the circumstances and upon the fact that the entire transaction is in respect of purchase of immovable property and the occurrence took place on 14.10.2018, for which the FIR came to be registered during 2026, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the first petitioner, subject to certain conditions.

7. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **XXIII Metropolitan Magistrate Court, Saidapet, Chennai**, on condition that the first petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the first petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) **The first petitioner shall report before the**



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respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the first petitioner(s) in accordance with law as if the conditions have been imposed and the first petitioner(s) released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

7.This Criminal Original Petition is ordered accordingly.

03.07.2026

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To

1. The learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai,
2. The Inspector of Police, R-6, Kumaran Nagar Police Station, Chennai.
3. The Public Prosecutor, High Court of Madras

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