



CRL OP(MD). No.15754 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2026

PRESENT

The HONOURABLE **MR. JUSTICE K. RAJASEKAR**

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Stanley Marsh,
S/o.Late. John Yabash,
R/o.75c, 1st Floor,
Venkatesa Nagar Extn - II
Virugambakkam,
Chennai-600 092..

... Petitioner/Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District.
Crime No.51 of 2025.

... Respondent/Complainant

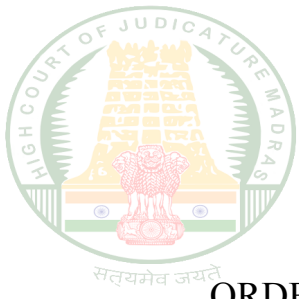
For Petitioner : Mr.R.C.Paul Kanagaraj,
Advocate.

For Respondent : Mr.T.Lenin Kumar,
Counsel for State of TN (Crl.Side)

For Intervener : Mr.Abubacker Sidhic

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-24B. For Bail in Crime No.51 of 2025 on the file of the
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner /Accused No.2, who was arrested and remanded to judicial custody on 25.06.2026, for the offences punishable under Sections 318(4), 61(2) and 351(3) of BNS, 2023, in Crime No.51 of 2025, on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that he along with A1 had come forward to sell the property for a sale consideration of Rs. 1,00,00,000/-. Accordingly, A1 received a sum of Rs.1,00,000/- as advance from the defacto complainant in the presence of other accused. Thereafter, on various dates, A1 collected a further sum of Rs. 80,00,000/-. Later, the defacto complainant came to know that the property was already under dispute. It is further alleged that the petitioner created various litigations to defeat the rights of the defacto complainant and in collusion with the other accused, sold the property to another person. Hence, the case was registered, and the petitioner was arrested.

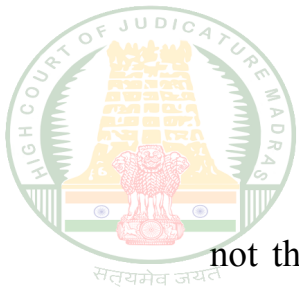
3.The learned counsel appearing for the petitioner submitted that



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the petitioner is arrayed as A2 in this case. Though various allegations have been levelled against the petitioner, the main allegation in the FIR is that he was present along with the other accused at the time of execution of the sale agreement between A1 and the defacto complainant. He further submitted that the similarly placed accused, namely A3 and A4 were granted anticipatory bail by this Court in CrI.O.P.(MD) No.14102 of 2026, vide order dated 13.07.2026. Though it is alleged that the petitioner colluded with A1, he was not in a position to sell the property, since the defacto complainant in collusion with one Ramamoorthy had fabricated records. In this regard, A1 had issued a legal notice dated 30.12.2024 to the said Ramamoorthy. He further submitted that the defacto complainant is the driver of the said Ramamoorthy and that, at the instance of the said Ramamoorthy, he lodged a false complaint. He further submitted that all the allegations levelled against the petitioner are borne out of records. Hence, he prayed to grant bail to the petitioner.

4.Per contra, the learned counsel appearing for the intervener, relying on various documents submitted that the defacto complainant is



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not the driver of the said Ramamoorthy, but the proprietor of a private firm. He further submitted that A1 entered into an agreement for sale with the defacto complainant and a sum of Rs.90,00,000/- was paid by the defacto complainant. He further submitted that on 18.12.2024, the petitioner along with the other accused were present and approached the defacto complainant assuring him that the amount would be repaid through three RTGS transfers and they also handed over the relevant cheques and challans. In this regard, a separate endorsement was made in the original agreement for sale. He further submitted that the petitioner is having bad antecedents and had adopted a similar *modus operandi* in the past. In this regard, a case was earlier registered against him in Crime No.1280 of 2009 on the file of the Sub-Inspector of Police, Kovilpatti West Police Station, for similar offences. He further submitted that the petitioner had actively participated in all these activities and also produced a fabricated document. Hence, he opposed to grant bail to the petitioner.

5.The learned counsel for State of TN (Crl. Side) appearing for the respondent Police reiterated the prosecution case and submitted that the

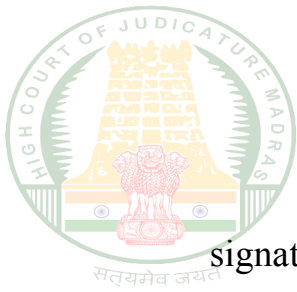


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the sale agreement was entered into between A1 and the defacto complainant. At the time of execution of the agreement, the petitioner was also present and actively participated during the transaction. He further submitted that A1 in this case has passed away. The investigation in this case is still pending. Hence, he opposed to grant bail to the petitioner.

6.I have carefully considered the submissions made on both sides and also perused the typed set of papers produced before this Court including the FIR.

7.Though it is alleged that the petitioner actively participated in receiving the money and represented A1 in the transaction, there is no material to show that he was a party to the agreement for sale or in the endorsement made therein. It is stated that he was a witness to one of the documents executed on 12.12.2024. It is alleged that the said document relates to the execution of another agreement by suppressing the earlier agreement and contended that *Prima facie*, it appears that there is an element of cheating. However, admittedly, the petitioner is not a



signatory to the earlier agreement. Though it is alleged that he was present at the time of payment of the advance amount, he is only a witness to the second agreement. The entire allegations levelled against the petitioner are born out of records. This Court, while granting anticipatory bail to the other accused namely, A3 and A4, observed as follows:

6.It is seen from the records that the death certificate of A1 has been produced, wherein it is stated that he died on 12.06.2025. The interim order was passed in the earlier bail application, which was subsequently dismissed by this Court. The learned counsel for the petitioners submitted that, without the knowledge of the present petitioners, the earlier bail petition was filed by A1 by including their names. Since A1 is no more, the compliance of the earlier order is not possible. This Court is inclined to accept the submission made by the learned counsel for the petitioners.

7.Further, on careful perusal of the FIR and other connected materials, it is seen that the entire agreement was entered into only by A1. Though it is stated that the petitioners were present at the time of execution of sale agreement, there is no specific allegation that they collected any money or extracted any benefit from the transaction. Further, it is alleged in the FIR that the petitioners



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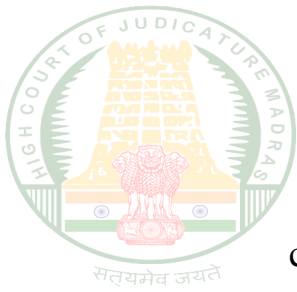
threatened the defacto complainant with dire consequences. In view of the said overt act attributed against them, the petitioners are entitled to grant of anticipatory bail. Hence, I am inclined to grant anticipatory bail to the petitioners subject to certain conditions.

8.This Court is of the view that the reasons for granting anticipatory bail to the other accused are squarely applicable to the petitioner and Considering the facts and circumstances of the case and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sattur**, and on further conditions that:

[b] the petitioner shall **report before the respondent Police daily at 10.30 a.m., until further orders;**

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the



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commission of which he/she is suspected;

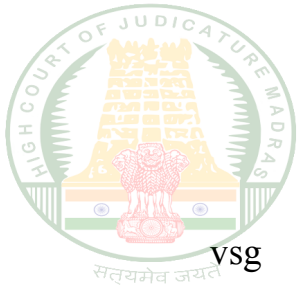
[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 51730].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(K R S J)
30.07.2026



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TO

- 1.The learned Judicial Magistrate, Sattur.
- 2.The Officer-in-Charge,
Sub Jail, Virudhunagar.
- 3.The Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR,J.,

vsg

ORDER
IN
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