



CRL OP(MD)No.18611 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18611 of 2024

1. S.K.Renganathan
2. R.Shankar
3. S.Ilayaraja
4. M.Velusamy
5. Baskar @ Pathi A Baskar

... Petitioners/ Accused Nos.1 to 3, 6 & 8  
Vs

The Inspector of Police,  
District Crime Branch,  
Thiruchirappalli,  
Thiruchirappalli District.  
Crime No.73 of 2024

... Respondent/Complainant

For Petitioners: Mr.Suyambulinga Barathi  
Advocate.

For Respondent : Mr.R.M.Anbunithi  
Additional Public Prosecutor

For Intervenor : Mr.S.Maya Perumal, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C



CRL OP(MD)No.18611 of 2024

**PRAYER :-** For Anticipatory Bail in Crime No.73 of 2024 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 363, 323, 506(2), 420, 467, 468 and 34 of IPC, in Crime No.73 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner had forged a fraudulent sale agreement dated 18.11.2010 with the malafide intention to grab the properties of the defacto complainant. The petitioner had also kidnapped the defacto complainant and assaulted him and also threatened him to execute the sale deed in favour of the first accused. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.The learned Counsel appearing on behalf of the intervener would submit that the very agreement of sale itself is forged. The investigation is in a nascent stage. The petitioners had totally cheated and several crores of properties have been knocked off by them.

5.The learned Counsel appearing on behalf of the approver submits that he only



CRL OP(MD)No.18611 of 2024

WEB COPY

bet the defacto complainant and they have turned approver. They are ready to undergo the punishment for the abduction they did. He further submits that now the petitioners are threatening the approvers.

6.Considering the nature of allegations in this case that the petitioners entered into an agreement of sale with the defacto complainant and paid the major part of the sale consideration and a sum of Rs.13,00,000/- was due and the petitioners had filed a suit in O.S.No.54 of 2011 for specific performance, directing the defendant/defacto complainant to receive the balance and execute the sale deed in which the defendant has also filed the written statement whereunder the execution of the sale agreement has been admitted and pending the suit, the parties entered into an agreement and the sale deed was entered into by receiving the balance sum of Rs.13,00,000/- and the same was also duly reported to the Lok Adalat by way of a joint memorandum of compromise and the same was recorded and the suit is disposed of and thereafter, 13 years have passed by, now a complaint is lodged as if the defacto complainant is abducted and on threat, all these settlement before the Lok Adalat happened, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen



CRL OP(MD)No.18611 of 2024

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days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thiruchirappalli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 06.30 p.m., for a period of one week and the petitioners 2 to 5 shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial

Court is entitled to take appropriate action against the petitioners in accordance with



CRL OP(MD)No.18611 of 2024

WEB COPY

law as if the conditions have been imposed and the petitioners 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 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
28/10/2024

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/11/2024  
Sub-Assistant Registrar (CS-I / II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

jbr  
TO

1. THE JUDICIAL MAGISTRATE NO.I, THIRUCHIRAPPALLI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY

3.THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
THIRUCHIRAPPALLI,  
THIRUCHIRAPPALLI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.K.S.KATHIRAVAN, Advocate ( SR-13397[I] dated 29/10/2024 )



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CRL OP(MD)No.18611 of 2024

ORDER  
IN

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Date :28/10/2024

RK/GSV (20/11/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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