



CRL OP(MD). No.22533 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22533 of 2024

A. Priya

... Petitioner/ Accused No.3

Vs

The Inspector of Police,  
District Crime Branch,  
Theni, Theni District.  
(Crime No. 29 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Jeyakumar, Advocate.  
For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 29 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 417, 420, 120(B) and 506 (1) of IPC in Crime NO.29 of 2024 on the file of the respondent police, seeks



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anticipatory bail.

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2. The case of the prosecution is that the defacto complainant was the owner of the subject property. Accused No.1, who is the brother of the defacto complainant was given a power of attorney. Based on the power of attorney, Accused No.1 is said to have executed a sale agreement and thereafter, a sale deed dated 27.11.2020 in favour of Accused No.2. Thereafter, Accused No.2 is said to have executed a settlement deed in favour of the petitioner (Accused No.3) on 03.03.2023. The grievance of the defacto complainant is that Accused Nos.1 and 2 had cheated her by not giving the proper accounts and by not paying the amount to the account of the defacto complainant. There are totally four accused persons in this case and the petitioner has been arrayed as Accused No.3.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. In the considered view of this Court, the role of this petitioner is that the settlement deed was executed in favour of this petitioner by Accused No.2 on 03.03.2023. Ultimately, Accused No.2 had purchased the property in the year 2020 and the settlement deed has been executed after nearly three years.

5. Considering the fact that the entire case is borne out by records and the actual dispute is between the defacto complainant on one hand and Accused Nos.1 and 2 on



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the other hand and no custodial interrogation may be required insofar as the petitioner is concerned, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, Theni District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with



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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 5560]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-

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

TSG

TO

1 THE JUDICIAL MAGISTRATE, THENI, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

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

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

ORDER IN

CRL OP(MD) No.22533 of 2024

Date :19/12/2024

RS/GSV/SAR-(06.01.2025) 4P 5C

Madurai Bench of Madras High Court is issuing  
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