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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 73 of 2025

1.T.V.Payani
2.Prasanna Lakshmi
3.Krishnageeth
4.V.Rameshbabu
5.Shobadevi
6.Sekar
7.Selvaraj

Petitioners

Vs

The State rep. by
The Inspector of Police
Arcot Town Police Station
Ranipet District.
Crime No. 613 of 2024.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest pending investigation in Cr.No.613 of 2024 on the file
of the respondent police.

For Petitioners : Mr.Johnsathyan
Senior Advocate

For Intervener : Mr.V.Karthikeyan
for Mr.T.Saravanan

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 420, 471 and 506(i) of IPC in Crime No. 613 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners had entered into Exchange Deed with the de-facto complainant on 30.07.2018. As per the Exchange Deed, the land belongs to the de-facto complainant has to be handed over to the petitioners herein. Similarly, the first petitioner executed a sale deed transferring his land in favour of the de-facto complainant. Accordingly, the first petitioner herein, executed a sale deed to the de-facto complainant. Further, within four days, after the de-facto complainant transferred his land, the first petitioner transferred the land in



favour of other accused persons. It was further revealed that the land exchanged in favour of the de-facto complainant was a “burial ground” and the same has been suppressed by the petitioners. Hence the case.

3. The learned counsel appearing for the petitioners submits that at the time of execution of the Exchange Deed, the 1st petitioner and others were not aware about the land was “burial ground” since the 1st petitioner had purchased the very same property in the year 2018 itself. After purchasing the same, the 1st petitioner transferred the property to the de-facto complainant. He further submits that there is no intention to cheat the de-facto complainant and a complaint has been lodged in the year 2024. He also submits that the petitioners are ready to co-operate with the investigation and he prays for grant of anticipatory bail to the petitioners.



4.The learned Counsel for the Intervener/De-facto complainant submits that the petitioners herein are aware of the nature of the land and suppressed that the land was classified as “burial grounds” and exchanged their property to the de-facto complainant. To substantiate his contention, he relied upon the sale deed executed by the 1st petitioner in favour of the other petitioners. He further submits that within four days, the 1st petitioner executed sale deeds in favour of the other accused. It is made clear that they were aware about the nature of the land. He further submits that believing the words of the 1st petitioner, the de-facto complainant had been entered into the Exchange Deed and the 1st petitioner has been cheated the de-facto complainant. Therefore, he strongly opposed for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submits that investigation is not concluded. During investigation revealed that, apart



from the Exchange Deed, there is an agreement had entered into between the parties and some huge amount has been received by the 1st petitioner. Therefore, the learned Government Advocate vehemently opposed for grant of anticipatory bail to the petitioners.

6. On perusal of the records, it reveals that in the year 2018 itself there was an Exchange Deed between the petitioners and the de-facto complainant. After receiving the properties of the de-facto complainant, the 1st petitioner had also transferred the land in favour of other petitioners. In this regard, the de-facto complainant filed a suit in O.S.No. 52 of 2024 on the file of I Additional District Court, Ranipet, for specific performance and other consequential reliefs and the same is pending.

7. Considering the fact that transactions were taken place in the year 2018 itself and though it is stated that the land was fall within “burial ground” and the same has been suppressed by the petitioners, land was



already handed over to the de-facto complainant, I am of the view that the nature of case and facts, to be investigated, custodial interrogation is not required in this case and accordingly, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Arcot**, on condition that the petitioners shall 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 Magistrate concerned and on further condition that:-



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(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioners 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;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



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to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.**

State of Kerala [(2005)13 SCC 283];

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.11.2025

MSM

To

1.Judicial Magistrate, Arcot.

2The Inspector of Police
Arcot Town Police Station
Ranipet District.

Crime No. 613 of 2024.

3. The Public Prosecutor,

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High Court of Madras.



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K.RAJASEKAR, J.

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