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Crl OP No.1883 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.1883 of 2025

1. Sivalingam
2. Sivandran

... Petitioners

Versus

The Inspector of Police,
District Crime Branch Police Station,
Nilgris District.
Crime No.8 of 2022.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest or surrender before concerned court in Cr.No.8 of 2022 on the file of the respondent police.

For petitioners : Ms.Karthigai Priya

For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 IPC in connection with Crime No.8 of 2022, seeks anticipatory bail.

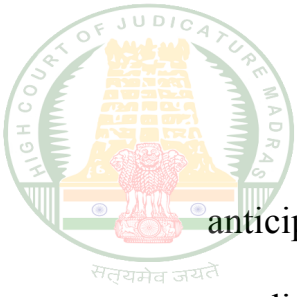


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2. The case of the prosecution is that the defacto complainant had purchased a land situated at Kolakombai, The Nilgris and entered into a sale agreement with the petitioners and paid a sum of Rs.20,00,000/- (Rupees Twenty lakhs only) as advance, but, the petitioners neither executed the sale deed nor returned the advance; that later, the defacto complainant came to know that the Original Owner never gave a power of attorney to the petitioners and that therefore the petitioners cheated the defacto complainant to the tune of Rs.20,00,000/- . Hence, the case.

3. Learned counsel appearing for the petitioners would submitted that the petitioners were already granted anticipatory bail by this Court vide order dated 10.05.2023 in Crl.OP.No.10721 of 2023 in which this Court has directed the petitioners to jointly deposit a sum of Rs.5,00,000/- to the credit of Cr.No.8 of 2022 pending on the file of the respondent police. However, the petitioners could not deposit the said amount. Hence the present petition. The learned counsel would further submit that now the petitioners are willing to deposit the said amount.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that since this Court had already granted



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anticipatory bail to petitioners and since they have not complied with the condition, this petition is not maintainable and hence vehemently opposed the grant of anticipatory bail to the petitioners.

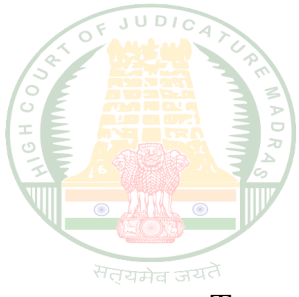
5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case , this Court is not inclined to entertain the second anticipatory bail petition. Hence, this Criminal Original Petition is dismissed.

7. However, the petitioners are permitted to comply with the aforesaid conditions imposed by this Court in Crl.OP.No.10721 of 2023 dated 10.05.2023 within a period of three weeks from today (17.02.2025).

17.02.2025

Vv



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To

1. The Inspector of Police,
District Crime Branch Police Station,
Nilgris District.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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