



CRL OP NO. 1397 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRL OP NO. 1397 of 2025**

Banukumar @ Baanukumar

S/O. Uma Shankar Reddy, 1/107, Chennathur, Hosur, Krishnagiri.

Petitioner(s)

Vs

State Rep By

The Inspector of Police, Hosur Police Station, Krishnagiri District

Crime No. 73 of 2024

Respondent(s)

**For Petitioner(s):**

S.Yogaraja Sekar

K.Selvaraj

M.Vinoth

S.Yogarajasekar

S.Srinath

**For Respondent(s):**

S.Santhosh

Government Advocate (criminal Side)

Madras High Court.

### **ORDER**

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(2) of IPC in Crime No. 73 of 2024, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the accused entered into a sale agreement v

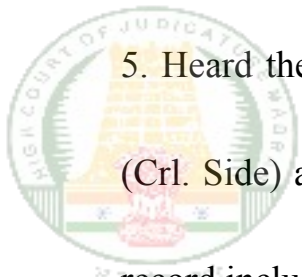
defacto complainant for selling the property and received a sum of Rs.23,00,000/-.

Later, he refused to execute the sale deed and also not returned the money. When the

defacto complainant demanded the money, the accused has threatened him with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is a college student and he has been falsely implicated in this case. He further submitted that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution and he is ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) would submit that this is the case of civil nature and it has been falsely projected as criminal nature and the defacto complainant is attempting to settle the civil dispute by way of Police action. Even as per the FIR, the incident is said to have been happened on 23.08.2022 and the complaint has been given on 26.02.2024.



5. Heard the learned counsel for the petitioner and the learned Government Advocate

(Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

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6. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and also the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner 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 of receipt of a copy of this order, before **the learned Judicial Magistrate No.II, Hosur** on condition that the petitioner shall execute separate 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 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;



**[c] the petitioner shall report before the respondent Police on Saturday at 06.30 P.M., until further orders;**

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

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

**[f] 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 law as if the conditions have been imposed and the petitioner was 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]**

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

**22-01-2025**

msv

To

The Inspector of Police,  
Hosur Police Station,  
Krishnagiri District