



WEB COPY



CRL O.P. No.8157 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8157 of 2025

Arunraj S/o. Raji

... Petitioner / Accused-2

Vs

State rep. by:-

The Inspector of Police,
Morappur Police Station,
Dharmapuri District.
[Cr. No.179 of 2023]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Cr. No.179 of 2023 on the file of the respondent police.

For Petitioner : Mr.J. Pradeep

For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 294(b)



CRL O.P. No.8157 of 2025

WEB COPY

and 506(i) of IPC in connection with the case in Cr. No.179 of 2023,
seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was in need of Rs.2 crores for construction of a marriage hall and he was introduced to A1 by a common friend; that A1 had handed over Rs.1 crore as loan on condition that the defacto complainant should sell his property; that thereafter, the defacto complainant had executed a sale deed on 27.01.2022 in favour of A1, who in turn, executed the sale deed in favour of A2 and thus committed aforesaid offences.

3. The learned counsel for the petitioner would contend that the allegations against the petitioner are false; that the petitioner is a bonafide purchaser and he has purchased the property from A1 through a sale deed dated 09.03.2023; that the petitioner had filed a quash petition before this Court in Crl. O.P. No.22800 of 2023 and this Court has granted interim stay of investigation in so far as the petitioner is concerned; and since custodial interrogation of the petitioner is not



CRL O.P. No.8157 of 2025

required, the petitioner may be granted anticipatory bail.

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirmed the said facts.

5. Considering the aforesaid facts, nature of allegations, the fact that this Court has granted interim stay of investigation in Cr. No.179 of 2023 and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Harur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**,



CRL O.P. No.8157 of 2025

WEB COPY

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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

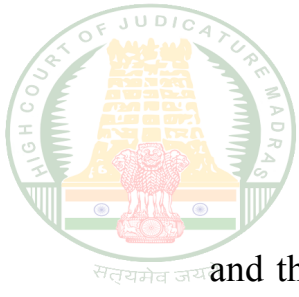
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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 law as if the conditions have been imposed



CRL O.P. No.8157 of 2025

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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

02.04.2025

mjs

To

- 1.The Judicial Magistrate, Harur.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Morappur Police Station, Dharmapuri District.

SUNDER MOHAN. J.,

mjs



WEB COPY



CRL O.P. No.8157 of 2025

CRL O.P. No.8157 of 2025

02.04.2025