



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.11.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.10183 of 2025

1.Akber Sheriff
2.Muzammil Shariff
3.Imran Khan

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
J-7, Velachery Police Station,
Chennai.
(Crime No.166 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of their arrest in Crime No.166 of 2025 on the file of the respondent police.

For Petitioners	:	Mr.V.Muthupandi
For Respondent	:	Mr.S.Udaya Kumar, Government Advocate (Crl. Side)
For Intervener	:	Mr.C.Elaimaran

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 316(2), 318(4) and 61(2) of BNS in Crime No.166 of 2025 seek anticipatory bail.



2.The allegation against the petitioners is that being the landlords of the property, they received a sum of Rs.12,00,000/- from the defacto complainant on the promise of leasing the said property. However, the petitioners neither returned the money nor handed over the property on lease. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and that they have been falsely implicated in this case. He further submitted that the petitioners have already paid a sum of Rs.11,00,000/- to the defacto complainant and are now willing to pay the balance amount of Rs.1,00,000/-. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that the petitioners have cheated a sum of Rs.12,00,000/-. Hence, he opposed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is still pending. However, he opposed for grant of anticipatory bail to the petitioners.

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



record.

6. Considering the submissions made by the learned counsel on either side, the nature of allegations, and the fact that the petitioners have already paid a sum of Rs.11,00,000/- to the defacto complainant and agreed to pay the remaining sum of Rs.1,00,000/-, and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioners are directed to pay a sum of Rs.1,00,000/- (Rupees One Lakh only) to the defacto complainant. On such payment and on production of such proof, the petitioners are 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 XVIII Metropolitan Magistrate, Saidapet, Chennai*, on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), each 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 and on further condition that:

(a) the sureties shall affix their photographs and left



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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 petitioners shall report before the respondent police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.

06.11.2025

drl

To

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1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
J-7, Velachery Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

K.RAJASEKAR, J.

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