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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.11627 of 2025

1.R.Bharanitharan
2.R. Thiagarajan

... Petitioners

Vs.

State rep. by
The Station House Officer,
District Crime Branch
Cuddalore.
Crime No. 12 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in
Crime No.12 of 2025 on the file of the Respondent police.

For petitioners : Mr.S.Dinesh Babu

For Respondent : Public Prosecutor

ORDER

The petitioners who apprehend arrest at the hands of the respondent
police for the alleged offences under Sections 406 & 420 of IPC in Crime No.12
of 2025, seek anticipatory bail.

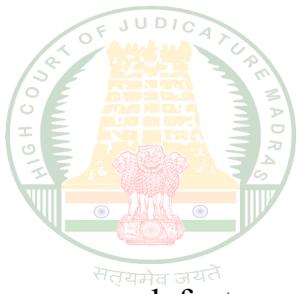


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2. The case of the prosecution is that the petitioners are alleged to have cheated Rs.2,85,000/- and also in possession of the original documents worth Rs.10 lakhs and the FIR was registered based on the order in CrI.MP.No.15190/2024 dated 17.12.2024. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that there is some dispute between the petitioners and the defacto complainant with regard to sale of property, for which, both the parties had entered into an Understanding pursuant to the registration of the case in Cr.No.12/2025 on 20.03.2025. As per the Understanding, on 26.04.2023, a sum of Rs.1,30,000/- had been paid by the petitioners to the defacto complainant and the compromise deed had been executed by the defacto complainant and the issue had been resolved between the parties. The petitioners are innocent persons and they are in no way connected with the alleged offence. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the petitioners have demanded Rs.10 lakhs from the defacto complainant to return the original documents. The



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defacto complainant had disputed the signatures found in the compromise deed dated 26.04.2023 produced by the petitioners. He seeks to direct that both the parties may appear before the respondent police to give their specimen signatures and the same may be sent to the hand writing expert for ascertaining the genuineness. All the originals of the title deeds with the petitioners can be ascertained during the interrogation.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and the petitioners are ready to abide by any condition, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail on their executing a 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 *learned Judicial Magistrate Court No.II, Cuddalore*, and on further conditions that:

[a] 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



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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 further interrogation;

[c] the petitioners as well as the defacto complainant are directed to appear before the respondent police to give their specimen signatures and the admitted signatures to the respondent police who shall forward the specimen, admitted and the disputed signatures with regard to the compromise deed entered between them and they shall also produce the original documents.

[d] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against



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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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

19.06.2025

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate Court No.II, Cuddalore
2. The Station House Officer,
District Crime Branch
Cuddalore.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR.,J
gv

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