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CRL OP No. 11899 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11899 of 2025

1. Sasikumar

No 162 A, Erikadu, Mottangkkadu
Salem

Petitioner(s)

Vs

1. The State Rep. by the Inspector of
Police, PUBLIC PROSECUTOR
No 162 A, Erikadu, Mottangkkadu
Salem Palacode Police Station
Dharmapuri District (Crime No
349/2023)

Respondent(s)

PRAYER

To order enlarge the petitioner on Anticipatory bail in the event of his arrest in crime No 349/2023 pending investigation on the file of the Respondent.

For Petitioner(s): Mr. Ranjith Kumar

For Respondent(s): Public Prosecutor

**ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC, on the file of the respondent police, in Crime No.349 of 2023, seeks anticipatory bail.

2. It is the case of the prosecution that the first accused/petitioner induced the defacto complainant to execute a sale deed in his favour in respect of the disputed property, representing that, it would help him secure higher compensation when the land is acquired by the Highways Department; that, after obtaining the documents, contrary to his promise, the first accused executed a sale deed in favour of the third accused, who subsequently transferred the property to the fourth accused.

3. The learned counsel for the petitioner would submit that the defacto complainant had executed a sale deed in the year 2021; that he received the entire sale consideration; that he a filed suit in O.S.No.162 of 2021 on the file of Sub Judge Court, Palacode; that defacto complainant also had filed a suit in O.S.No.101 of 2023 on the file of Sub Judge, Palacode for declaration of sale as null and void and the same is pending; that the complaint is an attempt to give a criminal color to the dispute which is civil in nature; that the co-accused A3 and

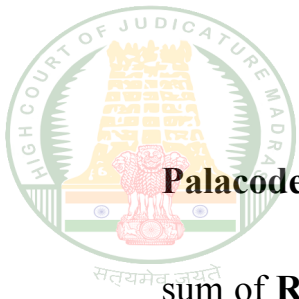


A4 were already granted anticipatory bail in Crl.O.P.No.7278 of 2025 dated 20.03.2025 and Crl.O.P.No.9069 of 2025 dated 27.03.2025 and in any case custodial interrogation of the petitioner is not required and sought for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that a civil suit is pending between the parties.

5. Considering the aforesaid facts, the nature of allegations, the fact that the allegations are borne out by records and that the co-accused were granted anticipatory bail in Crl.O.P.No.7278 of 2025, dated 20.03.2025 and in Crl.OP.No.9069 of 2025 dated 27.03.2025 and since civil suits are pending between the parties, this Court is inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before **the learned Judicial Magistrate,**



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Palacode on condition that the petitioner shall execute a 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 learned Magistrate concerned, and on proof of payment of deposits failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday at 10:30 a.m., until further orders.

[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



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entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed 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].

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

22-04-2025

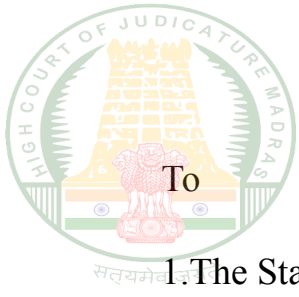
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The State Rep. by the Inspector of
Police, PUBLIC PROSECUTOR
No 162 A, Erikadu, Mottangkkadu
SalemPalacode Police Station
Dharmapuri District (Crime No
349/2023).

2. The Judicial Magistrate,
Palacode.
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN J.

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