



Crl.O.P.No.13389 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.05.2025**

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THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.13389 of 2025

Durai @ Duraiyan

... Petitioner

-VS-

The State Represented by the Inspector of Police,
Palacode Police Station,
Dharmapuri District.
(Crime No.349 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
Anticipatory Bail in the event of his arrest in Crime No.349 of 2023 pending
investigation on the file of the respondent.

For Petitioner : Mr.N.Ranjith Kumar
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offence under Section 420 of I.P.C in
Crime No.349 of 2023, seeks anticipatory bail.

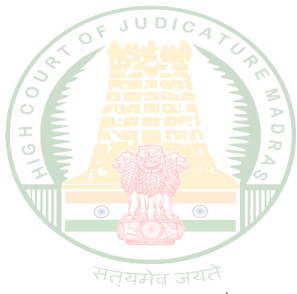


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2. The case of the prosecution is that the first accused induced the defacto complainant to execute a sale deed in his favour in respect of the disputed property, representing that it would help him to secure higher compensation when the land is acquired 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/petitioner herein, who subsequently transferred the property to the fourth accused. Hence this case.

3. The learned counsel appearing 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 filed a 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 colour to the dispute, which is civil in nature; that the co-accused A1, A3 & A4 were already granted anticipatory bail in Crl.O.P.No.7278 of 2025 dated 20.03.2025, Crl.O.P.No.9069 of 2025 dated 27.03.2025 and Crl.O.P.No.11899 of 2025 dated 22.04.2025 and in any case custodial interrogation of the petitioner is



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not required and sought for anticipatory bail.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case.

5. Considering the facts and circumstances of the case, 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 before the *learned Judicial Magistrate, Palacode*, on condition that the petitioner shall execute 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 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 condition that:

[a] 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



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Book to ensure their identity;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness 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 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]*;

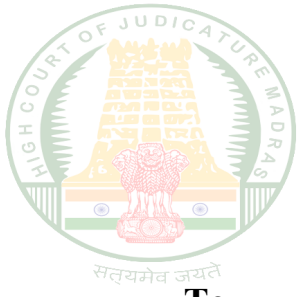
[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21.05.2025

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“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.”



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To
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1. The learned Judicial Magistrate,
Palacode.
2. The Inspector of Police,
Palacode Police Station,
3. The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR,J

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