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Crl.M.P.Nos.10969 and 10972 of 2024 in
Crl.O.P.Nos.4276 and 1517 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.M.P.Nos.10969 and 10972 of 2024

in

Crl.O.P.Nos.4276 and 1517 of 2024

B.Barani

... Petitioner in both cases

Vs.

1.M.G.Magendrian

2. State By:

The Inspector of Police,
Central Crime Branch (EDF-1 Wing)
Tambaram City Police
(Crime No.31 of 2023)

... Respondents in Crl.M.P.No.10969 of 2024

1. M.G.Manivannan

2.State By:

The Inspector of Police,
Central Crime Branch (EDF-1 Wing)
Tambaram City Police
(Crime No.31 of 2023)

... Respondents in Crl.M.P.No.10972 of 2024

PRAYER in Crl.M.P.No.10969 of 2024 : Criminal Miscellaneous Petition
filed under Section 483(3) of B.N.S.S, to cancel the bail order granted to the
1st respondent in Crl.O.P.No.4276 of 2024, dated 28.03.2024.



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PRAYER in Crl.M.P.No.10972 of 2024 : Criminal Miscellaneous Petition
filed under Section 483(3) of B.N.S.S, to cancel the bail order granted to the
1st respondent in Crl.O.P.No.1517 of 2024, dated 28.03.2024.

For Petitioner : Mr. A.D.Janarthanan in both cases

For R1 : Mr.A.Abdul Lathif in both cases

For R2 : Mr. L.Baskaran
Government Advocate (Crl.Side)
in both cases

COMMON ORDER

The condition imposed while granting anticipatory bail has not been complied with. Hence, the anticipatory bail requires consideration for cancellation.

2. In Crime No.31 of 2023 on the file of the CCB, Chennai, Tambaram City Police, bail was granted to Magendrian and Manivannan on the condition that they should come forward to execute the sale deed, and if there was any defect in title, the de-facto complainant could seek cancellation of bail. This order was passed on 28.03.2024. Even after more than a year, the sale deed has not yet been executed. Hence, the de-facto complainant has filed a petition seeking cancellation of bail.



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3. The learned counsel appearing for the de-facto complainant submits that, despite the specific direction that the sale deed must be executed in favour of the de-facto complainant, the accused persons have not come forward to do so. On the other hand, the counsel for the accused submits that they are ready to execute the sale deed, provided the balance sale consideration is paid by the complainant.

4. It is essentially a case of cheating, but unfortunately, the Court has treated it as a specific performance issue while considering the bail petition, thereby granting protection. The petitioners, who have enjoyed the benefit of anticipatory bail, have failed to comply with the promise and undertaking given while obtaining bail, which has necessitated the filing of the present petition for cancellation.

5. This Court finds that the bail condition has been grossly violated. Hence, the anticipatory bail granted stands cancelled.

6. Accordingly, these Criminal Miscellaneous Petitions are allowed.

18.08.2025

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- To**
1. The Judicial Magistrate-II, Chengalpet.
 2. The Inspector of Police,
Central Crime Branch (EDF-1 Wing)
Tambaram City Police.
 3. The Public Prosecutor,
High Court, Chennai.



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DR.G.JAYACHANDRAN,J.,

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