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Crl.O.P.No.19521 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

**CRL OP NO.19521 of 2025
and CRL MP NO.16196 of 2025**

1. Umarani
2. Badrinath
3. Ragavendra Gupta

Vs

... Petitioners/ A1 to A3

The State rep. by,
The Inspector of Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.
(Crime No.12 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
the event of arrest in Crime No.12 of 2025 on the file of the respondent
police.

For Petitioners 1 and 2 :	Mr. S. Suresh
For 3rd Petitioner :	Mr. P.M. Jayachandran
For Intervener :	Mr. G. Babu
For Respondent(s) :	Mr. S. Udayakumar
	Government Advocate (Crl. Side)

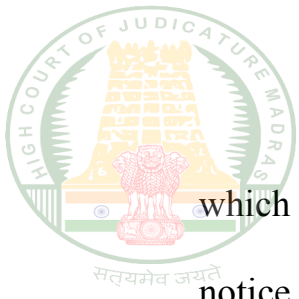


ORDER

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The petitioners, who apprehends arrest at the hands of the respondent police, for the offences punishable under Sections 406, 420 and 109 of IPC in Crime No.12 of 2025, registered on the file respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant along with others have entered into a sale agreement dated 03.01.2021 with the first petitioner herein for purchasing the property of the petitioners herein situated at D.No.45, Royappa Mudali Street in Survey No.780 by fixing sale consideration amount as Rs.3 Crores and thereby paid advance amount of Rs.2.41 Crores; that subsequently, the petitioners evaded executing the sale deed as per the said sale agreement by stating that they have to clear the bank loan over the said property in order to execute the sale deed; that while so, the defacto complainant came to know that the petitioners have executed multiple sale agreements with various persons over the same property and received advance amounts; that Civil Suits were also initiated against the first petitioner herein by other purchasers and now bank in



which the property was mortgaged had affixed the possession and auction notice in the property for the outstanding loan amount payable by the petitioners; that when the defacto complainant asked the petitioners to return back the advance amount, they threatened him of dire consequences. Hence, this case.

3. The learned counsels appearing for the petitioners stated that the first petitioner is the wife of the second petitioner and the third petitioner is son of the first and second petitioners herein; that the petitioners had obtained hand loan from one Velavan, who is running a finance company and he had got signature in the blank paper with pro-note and cheques; that the said loan was also repaid, however the said Velavan used the defacto complainant and created unregistered sale agreement using the said blank papers attested by the petitioners. He further submitted that the alleged sale agreement is said to have been executed in the year 2021 and after four years, the defacto complainant made a complaint against these petitioners with malafide intention and to harass the petitioners. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioners.

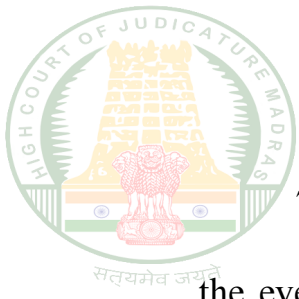


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4. The learned counsel for the intervener raised strong objection for grant of anticipatory bail to the petitioners by stating that the defacto complainant had entered into a sale agreement with the first petitioner herein for purchasing of the said property by fixing sale consideration of Rs.3 Crores and paid an advance amount of Rs.2.51 crores; that thereafter the petitioners have neither come forward to execute the sale deed nor returned the advance money.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that the investigation of this case is pending.

6. Considering the facts and circumstances of this case, nature of allegation and taking note of the fact that already civil litigations were initiated for enforcement of agreement before the lower Court and the disputed property has been attached by the bank, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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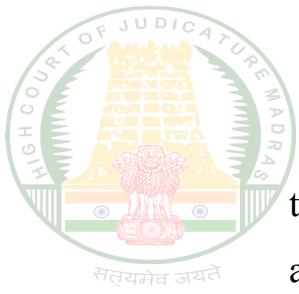
7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Krishnagiri** on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this Order shall stand automatically cancelled;**

[b] 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 ensure their identity;

[c] **the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

[d] On breach of any of the aforementioned conditions,



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the learned Magistrate/Trial Court is entitled to pass appropriate orders against 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];

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

8. Accordingly, this criminal original petition is ordered and consequently, connected criminal miscellaneous petitioner stands closed.

07.10.2025

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To

1. The Judicial Magistrate No.II,
Krishnagiri.



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2. The Inspector of Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.
(Crime No.12 of 2025)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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