



Crl.O.P.No.23500 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

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THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23500 of 2025

1. Subramaniyan

2. Karthick

3. Sagunthala

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
District Crime Branch
Perambalur District.
Crime No. 21 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 the event of their arrest in connection with Crime No.21 of 2025 on the file of The Inspector of Police,District Crime Branch,Perambalur District.

For Petitioner : M/s.C.Prabakaran

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

For Intervenor : Mr.S.Chendur Eashwaran



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ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420, 406 and 506(ii) of IPC in Crime No. 21 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. On the complaint given by one Jeevanantham before the learned Judicial Magistrate, the same was forwarded to the respondent police to register the complaint and investigate the same. Pursuant thereto, the case been registered in Crime No. 21 of 2025 on 23-06-2025. The sum and substance of the complaint indicates that in connection with the sale of agricultural land, the complainant had entered into an agreement with the first petitioner for a total sale consideration of Rs. 30,00,000/-. As a part consideration, he has paid Rs.14,00,000/- on 12-07-2018 by cash and further sum of Rs. 2 lakhs on 13-08-2018, thus making a total payment of Rs.16,00,000/-. It is alleged that though the accused had redeemed the property, they failed to execute the sale deed in favour of the de facto complainant even after receiving the balance sale consideration and instead sold the property to third party. When the defacto complainant asked for the refund of the sale consideration, the petitioners had joined together and threatened the defacto complainant.

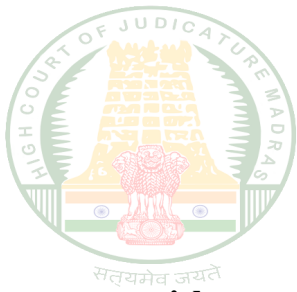


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3. The learned counsel for the petitioners states that the 1st petitioner entered into an agreement with the de facto complainant during the month of June 2018 and received part consideration of Rs. 16,00,000/-. However, the defacto complainant did not come forward to pay the balance sale consideration and get the sale deed executed. Hence, due to urgency, he sold the property to third party in the year 2019 itself. The present complaint is filed giving criminal colour to a civil transaction since the de facto complainant had lost limitation. He further contended that the petitioners have substantially repaid the money received as advance to the de facto complainant and suppressing the said fact, he has given a complaint. Taking into consideration the nature of the complaint and the transaction apparently civil in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 10 (ten) days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court No.1, Perambalur** on condition that the petitioners shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)**



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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 fails to surrender before the concerned Magistrate, within a period of 10 days from the date of receipt of a copy of this order, 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., until further orders;

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



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

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To

- 1.The Judicial Magistrate No.1, Perambalur
2. The Inspector of Police,
District Crime Branch
Perambalur District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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