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CRL OP NO. 29858 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: **25.02.2025**
CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 29858 of 2024

1.K.Radhakrishnan
2.K.Venkatalakshmi

petitioners

Vs

The State Rep by, The Inspector of Police,
District Crime Branch,
Tiruppur District.
(Crime. No.22 of 2024)

Respondent(s)

For petitioners (s): Mr.V.Elangovan

For Respondent(s): Mr.S.Santhosh, Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.22 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had agreed to sell their property to the de facto complainant; that they had received an



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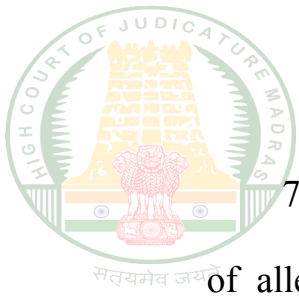
advance to a sum of Rs.50,00,000/-; that they neither executed the sale deed nor returned the advance amount to the de facto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that when this matter was listed on an earlier occasion, this Court had referred this matter to mediation for settlement; that pursuant to meditation, the parties entered into compromise; and produced the copy of the compromise memo dated 07.02.2025.

4. The learned counsel for the intervener also confirmed the said compromise.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.



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7. Considering the compromise arrived at between the parties; nature of allegation and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

(a) 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 of receipt of a copy of this order, before the **Judicial Magistrate, Dharapuram** on condition that the petitioners 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

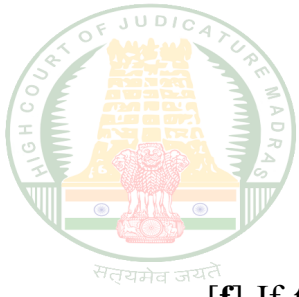
[b] the petitioners shall report before the respondent police as and when required;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the 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)AIR SCW 5560];**

SUNDER MOHAN, J.



CRL OP NO. 29858 of 2024



vca

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

25.02.2025

vca

To
The Inspector of Police,
District Crime Branch,
Tiruppur District.
(Crime. No.22 of 2024)

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