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CRL OP No. 26479 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 26479 of 2025

1. Thenmozhi
2. Uma @ Umamaheswari
3. A.N.S.Srinivas
4. Arunachalam
5. G.Vidhya

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
Central Crime Branch, Salem City Police Station, Salem. Respondent(s)

PRAYER This petition has filed under Section 482 of BNSS, 2023, seeking to enlarge the petitioners on bail in the event of arrest Concerned in Crime No. 22 of 2025 on the file of the Central Crime Branch, Salem City Police, Salem District.

For Petitioner(s): Mr.S.Ilamvaludhi

For Respondent(s): Mr.S.Udayakumar
Government Advocate Crl.side



ORDER

The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 418, 420 of IPC in Crime No.22 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The allegation against the petitioners is that, as the property owners, they entered into an agreement with A1 for developing the land belonging to them. During the development, the builder (A1) entered into an agreement with the defacto complainant to sell flats and received Rs.60,95,000/-, but subsequently failed to execute the sale deed in favour of the defacto complainant. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners, as the landowners of the subject property, entered into an agreement with the builder (A1) for developing their land, with the understanding that they would receive their shares upon project completion. However, the project remains incomplete. The petitioners further contend that they too have been cheated by A1, the builder. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent reported that the investigation is pending and opposed for grant of



anticipatory bail to the petitioners.

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5.I have considered the submissions made on both side and perused the materials available on record.

6.Considering that the petitioners are only the landowners and they entered an agreement with the builder who is arrayed as an accused No.1 in this case and the defacto complainant have entered into an agreement only with the 1st accused herein. Hence, I am of the view that in this regard the custodial interrogation of the petitioners is not necessary and I am inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the *learned Judicial Magistrate-II, Salem*, on condition that the petitioners shall execute a separate bond for a sum of **Rs.20,000/- (Rupees Twenty thousand only) each** 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 Book to



ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for further interrogation;

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

[d] the petitioners 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 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]*;

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

25-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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1. The State Rep by, The Inspector of Police,
Central Crime Branch, Salem City
Police Station, Salem.
2. The Judicial Magistrate-II, Salem.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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