



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.31507 of 2024

1.M.Ponnusamy
2.V.Baskaran
3.G.Santhanami

... Petitioners

Versus

State rep by its,
The Inspector of Police,
District Crime Branch,
Erode, Erode District.
(Crime No.14 of 2024)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of their arrest in Crime No.14 of 2024 on the file of the respondent police.

For Petitioner : Mr.Adhishree Manokaran

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

For Intervener : Mr.N.Chinnaraj

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 120B, 420, 468 and 506(i) IPC, in Crime No.14 of 2024 seeks anticipatory bail.



2.The allegation against the petitioners is that they have been arrayed as A1 to A3. It is alleged that the petitioners had availed a loan from the Bank of Baroda and, having failed to repay the same, SARFAESI proceedings were initiated against the property belonging to the partnership firm. Thereafter, the petitioners are said to have come forward to sell the said property to the defacto complainant for a sum of Rs.1.54 crores and received money suppressing the SARFAESI proceedings, thereby cheating the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that as per the second petitioner is concerned, he is not pressing the anticipatory bail application. He further submitted that the petitioners A1 & A3 are concerned, they have negotiated with the defacto complainant and agreed to settle the matter for a sum of Rs.70 lakhs payable to the defacto complainant. Hence, he prayed to grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener acknowledged the same and submitted that, as per the mediation report, an agreement was entered into between the parties, wherein petitioners 1 & 3 have agreed to pay a



sum of Rs.70 lakhs to the defacto complainant.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that in this case no one has been arrested so far and the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. As far as the second petitioner/V.Bhaskaran is concerned, he seeks permission of this Court to withdraw the petition and has also made an endorsement to that effect. Accordingly, this Criminal Original Petition, as against the second petitioner, stands dismissed as withdrawn.

7. Considering the submissions made by the learned counsel on either side, the fact that an agreement was entered into between the parties, wherein petitioners 1 & 3 have come forward to settle the issue for a sum of Rs.70 lakhs to the defacto complainant, this Court is inclined to grant anticipatory bail to the first and third petitioners, subject to certain conditions.

8. Accordingly, the first and third petitioners are ordered to be



released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.2, Erode*, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 learned Magistrate concerned 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 first and third petitioners shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation;

(c) the first and third petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first and third petitioner 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 first and third petitioner in accordance with



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law as if the conditions have been imposed and the first and third petitioner 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.10.2025

drl

To

1.The Judicial Magistrate No.2,
Erode.

2. The Inspector of Police,
District Crime Branch,
Erode, Erode District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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