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Crl.O.P.No.27166 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.27166 of 2025

1. S.Saminathan
2.K.Kittusamy

... Petitioners/A1&2

Vs.

The State Rep. by
The Inspector of Police
Aliyar Police Station,
Aliyar,
Coimbatore District.
(Crime No.210 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioners in the event of their arrest in Crime No.210 of 2021 on the file of the respondent.

For Petitioners : Mr.Narayana Prasadh

For Respondent : 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 120(b), 409, 403, 418, 420, 294(b) and 506(1) of I.P.C, in Crime No.210 of 2021, on the file of the respondent police, seek anticipatory bail.



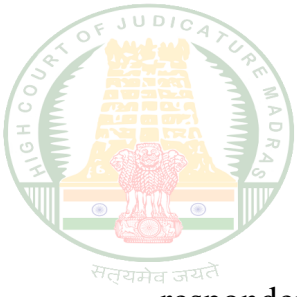
Cr1.O.P.No.27166 of 2025

WEB COPY

2.The case of the prosecution is that, in 2011, the de-facto complainant, Vijayakumar, while searching for a house, was introduced to the first petitioner through Advocate Shanmugam. The first petitioner arranged the sale of a property belonging to the second petitioner for Rs.9,00,000/-, and a sale deed was executed through a Power of Attorney. Later, the first petitioner failed to hand over the parent documents and rented out the property to third parties. When questioned in 2018, he allegedly threatened the complainant and demanded Rs.5,00,000/- to hand over the original documents. In 2020, the de-facto complainant lodged complaints with Kottur Police and the Superintendent of Police, Coimbatore, but no action was taken. Hence, the present case has been registered.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case; that the petitioners have never committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Cr1. Side) appearing for the



Cr1.O.P.No.27166 of 2025

respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and since, custodial interrogation is not required for the purpose of investigation, this Court is 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, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Pollachi**, on condition that each of the petitioners shall execute a separate 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 learned Magistrate/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



Crl.O.P.No.27166 of 2025

WEB COPY

[a]the petitioners and 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., until further orders.

[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].

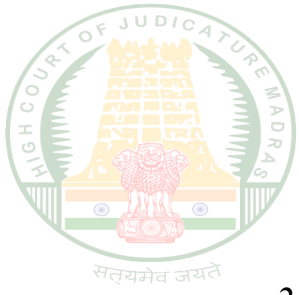
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.10.2025

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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.



Cr1.O.P.No.27166 of 2025

WEB COPY

2. *All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.*

To

1. The Judicial Magistrate No.II, Pollachi.
2. The Inspector of Police
Aliyar Police Station,
Aliyar,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.27166 of 2025

N.SENTHILKUMAR, J.

nvi

CrI.O.P.No.27166 of 2025

03.10.2025