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CRL OP NO. 290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13-02-2025**

CORAM

**THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI**

**CRL OP NO. 290 of 2025**

S.Gajendran  
S/o.Subramanian, No.4-76/11-66, Poosari  
Street, Avanam,P Eravoorani, Thanjavur  
District-614623.

Petitioner(s)

Vs

State Represented By,  
C-5, Oragadam Police Station, Sriperumbudur  
Taluk, Kanchepuram District.

Respondent(s)

**For Petitioner(s):** D.Saikumaran

**For Respondent(s):** V.Meganathan, Government Advocate (crl. Side)

### **ORDER**

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 447, 294(b), 420, 506(i) r/w 34 IPC in Crime No. 352 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that there totally four accused, the petitioner arrayed as A4. The petitioner is a land broker who instigated A2 and A3 to purchase the property through them, resulting in which, the de-facto complainant paid a sum of Rs.17,00,000/- to A2 and A3 to purchase the property. Hence the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has not committed any such offence as alleged by the prosecution. He further submitted that he is only a broker and that A2 and A3 received the amount from the de-facto complainant, and the petitioner has nothing to do with that amount. Therefore, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent/State submitted that A2 and A3 were arrested and released on bail. The petitioner has also actively participated and insisted that A2 and A3 compel the de-facto complainant to purchase the land through them. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into the above facts and circumstances of the case, and the submissions made by the learned Counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of Rs.1,00,000/-



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(Rupees One Lakh Only) to the credit of Crime No 352 of 2014 within a period of four week from the date of receipt of a cop of this order and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Sriperumbudur*, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, out of which, one surety must be a blood related surety, 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 petitioner and the sureties shall affix their photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. for a period of three months.

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



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[d] the 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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 229-A IPC;

[g] Post the matter on 06.03.2025 for reporting compliance.

13-02-2025

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**T.V.THAMILSELVI, J.**

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