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CRL.OP.NO. 29189 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL.OP.NO. 29189 of 2025

Singaravelu

Petitioner

Vs

State of Tamil Nadu

Represented by

The Inspector of Police

Thiruthuraipoondi Police Station

Tiruvarur District

Crime No. 437 of 2025.

....Respondent

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, 2023, praying to grant anticipatory bail to the petitioner in the event of his arrest by the respondent police in Crime No. 437 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Palanivel Nadimuthu

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 of IPC in Crime No.437 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against petitioner is that the petitioner had received a sum of Rs.1,38,000/- from the de-facto complainant promising, and agreed to sell the property belonging to the de-facto complainant and subsequently, the petitioner, without the knowledge of the de-facto complainant, sold the property to a third party and cheated the de-facto complainant. Hence the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner submits that the dispute arose between the petitioner and the de-facto complainant is civil in nature and it is only a breach of agreement between the parties and a criminal colour has been given. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that investigation is pending and since an FIR has been registered against the petitioner recently and he opposed for grant of anticipatory bail to the petitioner.



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5. Heard the learned counsels and perused the materials available on record.

6. I have gone through the materials, it reveals that the transactions were taken some years ago and petitioner had not honoured the agreement had entered into between the parties. Considering the nature of allegations that there is breach of agreement, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thiruthuraipoondi**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:-

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the 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)13 SCC 283]**;

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

30.10.2025

MSM

Copy to:

1. The Judicial Magistrate, Thiruthuraipoondi,
2. The Inspector of Police, Thiruthuraipoondi Police Station
Tiruvarur District, Crime No. 437 of 2025.
3. The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR, J.,

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