



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31369 of 2025

Manoharan

... Petitioner

Vs.

The State of Tamil Nadu
Represented by Inspector of Police,
Veeranam Police Station,
Salem.
(Cr.No.528 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Cr.No.528 of
2025 on the file of the respondent police.

For Petitioner : Mr.C.K.M.Appaji
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent
police for the alleged offence under Sections 318(4) and 351(3) of BNS in
Crime No.528 of 2025 on the file of the respondent police, seeks
anticipatory bail.



2. The allegation against the petitioner is that the petitioner collected a sum of Rs.80,00,000/- on the false promise of selling his land. It is further alleged that, thereafter, he failed to register the land and also failed to return the money. Hence the case.

3. The learned counsel for the petitioner submitted that the defacto complainant has already initiated civil proceedings by filing O.S.No.147 of 2025 before the District Judge, Salem, and the same is pending. He further submitted that a written statement has also been filed, and that a sum of Rs.60,00,000/- has already been repaid. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that the petitioner herein had received a sum of Rs.80,00,000/- on the promise of selling the lands. It is further submitted that the petitioner has failed to honour the said promise. Hence, he opposed the grant of anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations made against the petitioner, and also the fact that civil proceedings have already been initiated against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. 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 of receipt of a copy of this order**, before the learned **Judicial Magistrate IV, Salem**, on condition that the petitioner 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 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;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety



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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 daily at 10.30 a.m., for a period of three 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.

[f] The petitioner shall co-operate for the medical examination, if any, required by the Investigating Officer.

18.11.2025

kmm



To

1. The Judicial Magistrate IV, Salem.

2. The Inspector of Police,
Veeranam Police Station,
Salem.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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