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CRL OP No. 32457 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32457 of 2025

S. Anand

Petitioner(s)

Vs

State Rep by Inspector of Police
District Crime Branch, (DCB),
Perambalur. In Crime No.36/2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant Anticipatory bail to the petitioner in the event of his arrest in Crime No. 36 of 2025, on the file of the respondent and thus render justice.

For Petitioner(s): Anandan N
Mr.M.Sundar, Party in person

For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 420 & 506(1) of IPC, in Crime No.36 of 2025 on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner joining hands with other accused induced the defacto complainant to part with the money for the purpose of doing some real estate business and they promised that by doing this business they will get huge profits and however after collecting a sum of Rs.1.83 Crores have not returned back Rs.1.40 Crores to the defacto complainant. Hence, the case.

2. The learned counsel for the petitioner submitted that the petitioner alone has received Rs.32 lakhs from the defacto complainant's mother and already returned Rs.49 lakhs and it is more than the amount received by the petitioner and further the defacto complainant demands more profits and it is not feasible to pay the same and he further submitted that there is no criminality attached in this case and prays to grant anticipatory bail to the petitioner.

3. The learned counsel for the intervenor submitted that the petitioner herein still has to pay Rs.42 lakhs apart from the money already paid. The petitioner colluded with other accused and collected huge amounts and he has also used to fabricate documents and if anticipatory bail is granted to the petitioner, he is likely to indulge in similar offences. He further submitted that the payments have not yet been settled. Hence, he opposed for the grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) for the respondent police reported that total amount cheated by the petitioner is Rs.1.65 Crores and the petitioner along with two other accused have to pay Rs.54 lakhs to the defacto complainant. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.I have also gone through the various documents produced before me and the FIR and it revealed that it is the case of inducing the defacto complainant's mother to part with money for the purpose of doing real estate business and it is also stated that based on the real estate business, some documents were also executed in favour of the defacto complainant. Though it is stated that some more amounts to the extent of Rs.54 lakhs is yet to be paid, the fact remains that there are several transactions between the parties and payments were made, I am of the view that for recovering the money the complaint has been lodged and I am of the view that the custodial interrogation of the petitioner is not necessary, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner 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, Perambalur, 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;

[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 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.

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- 1.State Rep by Inspector of Police
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Perambalur. In Crime No.36/2025
2.The Judicial Magistrate, Perambalur.
3.The Public Prosecutor,
High Court of Madras.



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