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Crl.O.P.No.33381 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.33381 of 2025

1. Shaju Krishnan Nair
2. Riya Shaju Nair

... Petitioners

Vs.

State By,
Represented by the Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.
Crime No.13 of 2025.

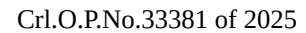
... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.13 of 2025 on the file of the respondent police.

For Petitioners : S.Silambarasan

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

For Intervenor : Mr.D.Dayalan



The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 406 and 420 of IPC read with Section 34 of IPC in Crime No.13 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners is that the petitioner herein has come forward to purchase the land to the extent measuring 45 plots for a total value of Rs.1.25 crores and it is alleged that they failed to pay the sale consideration as stated in the sale deed. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned counsel appearing for the defacto complainant/ intervenor submitted that, from the inception, though they induced the defacto complainant to execute the sale deed in favour of the petitioner herein, they have not paid the money and it is a clear case of cheating. Hence, he prayed for dismissal of this petition.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending

5. Considering the nature of allegations and the fact that it is a case of not payment of sale consideration and the entire allegations are borne out of records, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on is appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Kancheepuram** on condition that each of the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)**



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with two sureties each for a like sum to the satisfaction of the learned

Magistrate concerned, and on further condition that:

[a] if the petitioners 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 petitioners shall report before the respondent police daily at 10.30.a.m., 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 petitioners in accordance with law as if the aforementioned 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**



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Kerala [(2005)13 SCC 283];

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

17.12.2025

sma

To

1.Judicial Magistrate No.I, Kancheepuram.

2.Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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