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Crl.O.P.No. 3432



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No. 34321 of 2025

1.Anandkumar
2.A.Sujatha
3.Lakshmi

... Petitioners/A1 to A3

-VS-

State Rep by,
The Inspector of Police,
R-6, Kumaran Nagar Police Station
Chennai- 600 083
Crime No. 419 of 2025.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioners on bail in the event of their arrest in Crime No.419 of 2025 on the file of the respondent police.

For Petitioners : Mr.Sengoal

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



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 318(4) and 316(2) in Crime No. 419 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioners is that they had a land and building and come forward to sell the same for a total sale consideration of Rs.1.09 Crore. It is further alleged that the property was under a mortgage and to redeem the same, the 2nd petitioner received a sum of Rs.10,00,000/- from the de-facto complainant. However, after collecting Rs.10,00,000/- from the de-facto complainant, the petitioner and others refused to come forward to execute the sale deed, leading to the registration of the complaint.

3.The learned Counsel for the petitioners submits that it is a case of civil in nature. Already there was an agreement entered into between the parties, and the same is also incorporated in the First Information Report and the custodial interrogation of the petitioners is not necessary and he prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submits that a huge amount had been collected by the petitioners, and in spite of several payments from the de-facto complainant, these petitioners had refused to come forward to execute the sale deed and also threatened the defacto complainant with dire consequences. He also submits that the FIR had been registered recently and the investigation is pending. He opposed to grant anticipatory bail to the petitioners.

5.I have also gone through the FIR and other connected materials, which reveal that several payments were made through cheques and also an agreement for sale was entered into between the parties. The date of registration and the time limit for registration of the sale deed are incorporated in the FIR. The dispute between the petitioners and the de-facto complainant covered by an written agreement and it is alleged that the same is violated. Hence, I am of the view that the custodial interrogation of the petitioners is not necessary, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioners are 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 **XXIII of Metropolitan Magistrate Court, Saidapet, Chennai**, on condition that the petitioners 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 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 one week and thereafter, as and when required for interrogation;



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[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 themselves 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.

15.12.2025

MSM

To

1. The XXIII of Metropolitan Magistrate Court, Saidapet, Chennai.

2.The Inspector of Police,
R-6, Kumaran Nagar Police Station
Chennai- 600 083
Crime No. 419 of 2025.

3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

MSM

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