



WEB COPY



CRL OP(MD) NO. 7927 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-09-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 7927 of 2025

Thangadurai

Petitioner(s)

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police, Allinagaram
Police Station, Theni District. (In Crime No.
124 of 2025)

(Amended as per order of the court dated 03.07.2025)

Respondent(s)

For Petitioner(s):

M/sP.Senguttuarasan

For Respondent(s):

Mr.S.S.Manoj,
Government Advocate (crl. Side)

Prayer: For Anticipatory Bail in Crime No.124 of 2025 on the file of the
Respondent Police.

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 316(2),
296(b), 351(2) and 318(4) of BNS Act, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that there is a default in payment of sale consideration by the petitioner. The defacto complainant asked the petitioner to settle the balance amount and refused the same by the petitioner and thereby cheated. Hence, a case was registered.

3. The learned counsel for the petitioner submitted that he never committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that based on the forged power of attorney created by the petitioner sold the property of the defacto complainant and the petitioner is an agent.

5. Considering the above facts and circumstances of the case and also considering the fact that it is a civil dispute between the parties and therefore, this Court is inclined to grant interim anticipatory bail to the petitioner.



WEB COPY

6. 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, Theni, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Theni, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Theni. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Theni;

(c) the petitioner shall appear before the respondent police daily at 10.30 a.m., without fail, until further orders;



WEB COPY

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]* and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

18.09.2025

KSA



WEB COPY

To

1. The Judicial Magistrate Court, Theni.
2. The Inspector of Police,
Allinagaram Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



S.SRIMATHY,J.

KSA

ORDER
IN
CRL OP(MD) NO. 7927 of 2025

18.09.2025