



CRL OP(MD). No.10211 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.K.N.V.Roobas Deepak,
S/o.K.N.Vincent Raman

2.Neethiperumal,
S/o.Santhosam

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Usilampatty Tower Police Station,
Madurai District.
(Crime No.32 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Ramasamy,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No.32 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC r/w. Sections 296(b) and 351(2) of BNS, 2023 in Crime No.32 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is residing and working in the USA. He had planned to construct a commercial complex at Usilampatti and a godown in Chennai. For this purpose, he entrusted the construction work to the 1st petitioner. The de-facto complainant executed a power of attorney in favour of the 1st petitioner, and they also entered into a construction agreement in the year 2018. Pursuant to the agreement, the de-facto complainant transferred a sum of Rs.3.33 crores to the account of the 1st petitioner. However, the 1st petitioner constructed only the ground floor at Usilampatti and failed to complete the construction of the 1st and 2nd floors. The 1st petitioner also rented out nine shops on the ground floor to certain individuals in his own name. Subsequently, the de-facto complainant visited Chennai to inspect the construction of the godown. It was found



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that only the basement for the godown yard had been laid. When the de-facto complainant visited the said property, the 2nd petitioner allegedly restrained him and threatened him with dire consequences. Hence, the present case.

3. The learned counsel for the petitioners submitted that this is the second anticipatory bail application filed before this Court. The petitioners are innocent persons and have not committed any offence as alleged by the prosecution. In fact, it was only at the instigation of the de-facto complainant that the 1st petitioner rented out the nine shops, and the rents for those shops were also received by the de-facto complainant from the 1st petitioner. In support of this, screenshots evidencing the payments made by the 1st petitioner to the de-facto complainant have been enclosed. He further submitted that the 1st petitioner has already filed a civil suit seeking a permanent injunction in O.S. No. 124 of 2024, which is pending on the file of the District Munsif-cum-Judicial Magistrate No.I, Usilampatti. He, however, submitted that the petitioners are willing to abide by any condition that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case. The issue pertains to a civil dispute. The de-facto complainant, who is a resident of the USA, entrusted the construction work to the 1st petitioner and executed a power of attorney in his favour. The de-facto



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complainant transferred a sum of Rs.3.33 crores to the account of the 1st petitioner for carrying out the construction work. However, when the de-facto complainant visited India to inspect the construction, it was found that the accused had not completed the said work. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also taking note of the fact that the issue pertains to a civil dispute, and that a civil suit was filed by the 1st petitioner against the de-facto complainant as early as in the year 2024, and only thereafter the present FIR came to be registered, and that as the date of registration of FIR is 22.01.2025, and by this time, most of the investigation might have been completed, and that custodial interrogation of the petitioners is not necessary in this case, and that even after the dismissal of the earlier anticipatory bail application, the respondent police has not taken any effective steps to secure the accused, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Usilampatty, Madurai on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who



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intends to arrest or to the satisfaction of the learned Judicial Magistrate No.1, Usilampatty, Madurai and on further conditions that:

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(a) the petitioners 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.1, Usilampatty, Madurai. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.1, Usilampatty, Madurai;

(c) the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders;

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

(e) the petitioners 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 petitioners in accordance with law as if the 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) AIR SCW 5560]; and;



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

sd/-
25/07/2025

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/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

1 The Judicial Magistrate No.1,
Usilampatty, Madurai.

2 Do Through the Chief Judicial Magistrate,
Madurai District.

3 The Inspector of Police,
Usilampatty Tower Police Station,
Madurai District.

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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+1 CC to M/s.R.RAMASAMY, Advocate (SR-8041[I] dated 25/07/2025)

ORDER

IN

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Date :25/07/2025

AS/19.08.2025/7P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.