

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

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Date : 09.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11415 of 2025

P Mani,  
S/o Peariyapaiyan,  
No. 186 Andipatty Colony,  
Suramangalam,  
Salem District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
DCB, Karur,  
Karur District.  
Crime No.9/2025.

... Respondent/Complainant

For Petitioner : M/s Thamaraiselvan.R,  
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.09 of 2025 on the file of the respondent Police.

ORDER :- The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4) of BNS 2023, in Crime



No.09 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the 1<sup>st</sup> accused agreed to purchase 68 cents of land from the de-facto complainant in Aravakurichi for a total consideration of Rs.2,00,00,000/-. The 1<sup>st</sup> accused would obtain a loan of Rs.2,50,00,000/- from the 2<sup>nd</sup> accused and pay Rs.2,00,00,000/- to the de-facto complainant. Subsequently, the de-facto complainant executed a sale deed in favour of the 1<sup>st</sup> accused and received a sum of Rs.25,00,000/- from the 1<sup>st</sup> accused. Immediately thereafter, the 1<sup>st</sup> accused executed a sale deed in respect of the same property in favour of the 2<sup>nd</sup> accused. The accused failed to pay the balance amount of Rs.1,75,00,000/- to the de-facto complainant and thereby cheated him. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. Due to some money dispute between the 1<sup>st</sup> accused and the de-facto complainant, the de-facto complainant lodged a false complaint against the petitioner herein. He would also submit that the petitioner is a land broker and that there are no bad antecedents as against the petitioner. He would further submit that co-accused had already been granted bail by this Court in CrI.OP(MD).No.10027 of 2025 dated 20.06.2025. However, the petitioner is ready and willing to abide any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.



4. The learned Government Advocate (Criminal Side) would submit that A1 purchased the property from the de-facto complainant for a sum of Rs.2,00,00,000/- and borrowed a sum of Rs.2,50,00,000/- from A2. After obtaining the property from the de-facto complainant in her/A1 favour by paying a sum of Rs.25,00,000/-, A1 executed a sale deed in favour of A2, thereby cheating the de-facto complainant by not paying the balance amount of Rs.1,75,00,000/-. He would further submit that the petitioner is going to be cited as witness. He would further submit that the investigation is almost completed. However, he opposed to grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation has been almost completed and co-accused have already been granted bail by this Court and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif cum Judicial Magistrate Aravakurichi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the District Munsif cum Judicial Magistrate



Aravakurichi, and on further conditions that:

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(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;

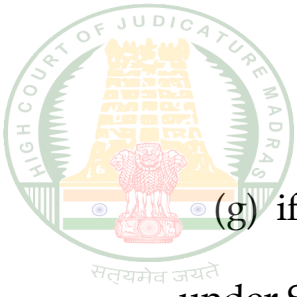
(b) the petitioner shall furnish his residential address and mobile number to the District Munsif cum Judicial Magistrate Aravakurichi. In the event of any change in his residential address, the petitioner shall report the same to the District Munsif cum Judicial Magistrate Aravakurichi.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

(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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

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Sd/-  
09.07.2025

// True Copy //

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

msrm

To

- 1.The District Munsif cum Judicial Magistrate Aravakurichi.
2. Do through the Chief Judicial Magistrate,  
Karur District.
- 3.The Inspector of Police,  
DCB, Karur,  
Karur District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER  
IN  
CRL OP(MD) No.11415 of 2025

Date : 09.07.2025

CT (24/07/2025) 5P/5C

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