

CRL OP(MD). No.14157 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

CRL OP(MD). No.14157 of 2025

Kathiresan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Anna Nagar Police Station,
Madurai City.
(Crime No.526 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.526 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

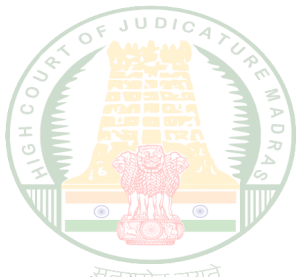
The petitioner, who was arrested and remanded to judicial custody on 17.07.2025 for the offences punishable under Sections 406 and 420 of IPC, in Crime No.526 of 2025 on the file of the respondent police, seeks bail.



CRL OP(MD). No.14157 of 2025

WEB COPY

2. The case of the prosecution is that the defacto complainant has decided to purchase a vacant land to construct a house and she came to know the property through a person namely Kathiresan/petitioner and the defacto complainant decided to purchase the land in order to construct a house, the second accused introduced the petitioner/A1 to the defacto complainant in this regard. The petitioner has shown the land of 3 cents at Andarkottaram and the price was fixed at Rs.3,50,000/- In the meanwhile, the defacto complainant paid a sum of Rs.6,00,000/- to the petitioner through the second accused at her house as a sale advance on 05.12.2023 at about 01.30 p.m., thereafter, the second accused has given assurance that she is responsible for the amount and sale agreement was also executed, it was agreed to repay the balance amount at the time of execution of sale deed. The defacto complainant mobilized the balance amount and asked the accused persons to register the sale deed, but they delay. Thereafter, the defacto complainant came to know that the property shown by the accused is not the property of them, but it belongs to one Sonai. Initially, the accused persons assured that they would repay the advance amount but they have not taken any steps to repay the amount. Hence, the defacto complainant approached the respondent police. After enquiry, the accused persons promised that they would repay the amount and accordingly on 01.04.2025, the petitioner had repaid a sum of Rs.1,00,000/- and sought two week's time to settle the



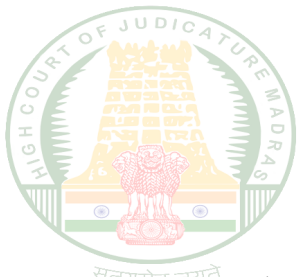
CRL OP(MD). No.14157 of 2025

सत्यमेव जयते
WEB COPY

balance amount. Even after expiry of the period, the accused persons have not repaid the balance amount of Rs.5,00,000/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner borrowed a sum of Rs.3,00,000/- from the defacto complainant and he repaid Rs.2,00,000/- to her and the balance amount of Rs.1,00,000/- is alone yet to be paid by him. He further submitted that the defacto complainant obtained the signature of the petitioner in blank paper, converted the same as sale agreement for Rs.6,00,000/-. Further, the petitioner is not owner of the said property, he is not expected to execute the sale deed. Further, during enquiry, at police station, the petitioner paid a sum of Rs.1,00,000/- to the defacto complainant and he prayed time to repay the balance amount and without giving opportunity for the same, the present complaint has been given. He further submitted that there was a civil dispute and the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 17.07.2025. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the investigation has been almost completed and there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.



CRL OP(MD). No.14157 of 2025

WEB COPY

5. Taking into consideration of the facts and circumstances of the case and also the fact it is a civil dispute pending between them and the petitioner was arrested on 17.07.2025 and the investigation has been almost completed and also consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate No.VI, Madurai, and on further conditions that :-

[a] 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 No.VI, Madurai.

(c) If the petitioner changes his residential address, she shall report the same to the learned Judicial Magistrate No.VI, Madurai.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.



CRL OP(MD). No.14157 of 2025

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
26/08/2025

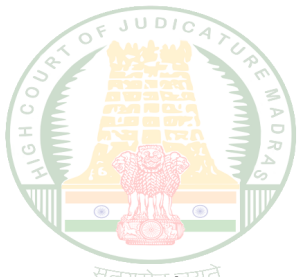
/ TRUE COPY /

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

msrm
TO

- 1 The Judicial Magistrate No.VI, Madurai.
- 2 Do Through the Chief Judicial Magistrate, Madurai.
- 3 The Superintendent, Central Prison, Madurai.
- 4 The Inspector of Police, Anna Nagar Police Station, Madurai City.
- 5 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.14157 of 2025
Date :26/08/2025



CRL OP(MD). No.14157 of 2025

NBF/SAR- /28/08/2025/ 6P/6C

WEB COPY

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