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Crl.OP.No.496 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.496 of 2026

1. Vasanthi Dwarakanath
2. R.Naveen

... Petitioners

Vs.

State: The Inspector of Police (Crime)
T-3, Pallavaram Police Station,
Pallavaram, Chennai-600 043.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of her arrest pending investigation in Crime No.6 of 2026 on the file of the Inspector of Police (Crime) T-3, Pallavaram Police Station, Pallavaram, Chennai-600 043.

For Petitioners : Mr.R.Sankarasubbu
for Mr.Mukunda Kumar V.R

For Intervenor : Mr.Aravind Subramaniam,
Senior Advocate
for Mr.S.Vijayakumar

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



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ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 406, 420, 506(1) and 120B of IPC in Crime No.6 of 2026, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners have come forward to sell the property comprised in Survey No.22/5C , situated at Plot No.12, Ragavendra Koil Street (Balaji Nagar), Anakaputhur Village, to the total extent of 3780 sq.ft in favour of the defacto complainant and also collected a sum of Rs13,00,000/-. After collecting the money, the petitioners have not come forward to execute the sale deed, which led to the registration of the FIR. Hence, the present petition.

3. The learned counsel appearing for the petitioners submitted that the petitioners were aware about the legal issues involved in this case and the revenue records have now only transferred in favour of the petitioners herein and it is a case of non-performance of the sale agreement entered between the parties and a false complaint has been lodged as if the defacto



complainant has been cheated. Therefore, he prayed that anticipatory bail be granted to the petitioners.

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4. The learned counsel appearing for the Intervenor submitted that the petitioners herein have made false statement as if the land belongs to them. However, the patta was stand in the name of one Jackson Philip and they have attempted to sell the property and it is also the unapproved plot. Further, the defacto complainant has also paid regularization charges for regularizing the unapproved plot. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that FIR was registered only recently and the investigation is still pending. Hence, he opposed the grant of anticipatory bail to the petitioners.

6. I have also gone through the records and considering the submissions made on both sides and in the FIR itself, it has been categorically revealed that the defacto complainant is aware that the patta is



not stands in the name of the petitioners at the time of entering into the agreement and it was also intimated to the defacto complainant that the patta was wrongly obtained by one Jackson Philip and steps have been taken to rectify the same. Further, it is a case of written agreement entered on 10.09.2021 and now it is alleged that the petitioners have not come forward to execute the sale deed.

7. Considering the above facts, I am of the view that to investigate the case of this nature, the custodial interrogation of the petitioners is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate, Pallavaram*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

21.01.2026

Vv



To

1. The Judicial Magistrate, Pallavaram

2. The Inspector of Police (Crime)
T-3, Pallavaram Police Station,
Pallavaram, Chennai-600 043.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

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