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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 931 of 2026

Rajan V.

...Petitioner

Versus

The State, Rep. By

The Inspector of Police

G-6, Chithmur Police Station

Chengalpattu

In Crime No. 03 of 2026.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant the anticipatory bail in the event of his arrest, by the respondent police for an alleged offence under Sections 318 and 318(2), Section 318(4) of the BNS (BNS) pending investigation in Crime No. 03 of 2026.

For Petitioner

: Mr.Sri Balan I

For Respondent

: Ms.J.R.Archana

Government Advocate, Criminal Side

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318, 318(2) and 318(4) of the BNS, in Crime No.03 of 2026 on the file of the respondent Police, seeks anticipatory bail.



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2.The allegation against the petitioner is that the petitioner had come forward to sell his land in favour of the de-facto complainant and also collected a sum of Rs.8,99,000/- as advance for sale consideration. It was revealed that the land was sold in favour of the other persons. Thereafter, the petitioner failed to execute the sale deed in favour of the de-facto complainant and cheated him. Hence, the complaint has been registered.

3.The learned Counsel for the petitioner submitted that it is a case of breach of the agreement of sale and already the property was sold in favour of the third parties and the petitioner herein is not cheated the de-facto complainant and if any grievance is raised by the de-facto complainant and the same is to be raised before the appropriate civil forum. Therefore, the learned Counsel prays for grant of anticipatory bail to the petitioner.

4.Further, the learned Counsel for the petitioner submitted that since the bail of the satisfaction Court has not been mentioned in this petition and amendment petition is filed by the petitioner, which is in Sr.No.4808 of 2026 before the Registry.



5. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner after collecting money from the de-facto complainant, he sold the property in favour of the third parties. Further submitted that the investigation is pending and he opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegations, and the fact that it is a case of violation of the agreement entered into between the parties, I am of the view that the custodial interrogation of the petitioner is not necessary to investigate the case of this nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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



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

[c] the petitioner shall report before the respondent police daily 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;



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[e] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

21.01.2026

MSM

To

1.The District Munsif Cum Judicial Magistrate, Cheyyur.

2.The Inspector of Police
G-6, Chithmur Police Station

Chengalpattu

In Crime No. 03 of 2026.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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