



WEB COPY

CRL OP No. 3763 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 3763 of 2026

K.Madhu Srinivas
S/o, Vishnuvaratha Rao,
No. 303, Srinivasan Street,
Golden George Nagar,
Chennai-107.

..Petitioner(s)

Vs

State rep. by, The Inspector of Police,
Central Crime Branch- Tambaram City,
Tambaram City.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of their arrest in Cr. No. 58 of 2025 on the file of respondent police and thus render justice.

For Intervener:	Mr.V.S.Kesavan
For Petitioner(s):	M Soundar Vijay Arulram
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 406, 420, 506(1), 120(B) of IPC in Crime No.58 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The prosecution alleges that the petitioners, in collusion with two other accused, projected themselves as real estate dealers and, by producing bogus pattas and falsely claiming ownership over various lands, collected a sum of Rs.2.04 crores from the defacto complainant. It is further stated that they entered into a Memorandum of Understanding representing that they were the owners of lands situated at “Mapped”. Subsequently, it came to light that the petitioners were not the owners of the said lands. When the defacto complainant demanded return of the money, the petitioners issued cheques and simultaneously instructed the bank to stop payment. Hence, the complaint has been lodged.

3. The learned counsel for the petitioner submitted that there exists a Memorandum of Understanding between the petitioner and the defacto complainant and that, even according to the FIR, the dispute is civil in nature. It is further submitted that the FIR was registered on 22.12.2025 and, at this length of time, custodial interrogation of the petitioner is not required. It is also submitted that the co-accused have already been granted anticipatory bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervener strongly opposed the petition and submitted that A1 was granted bail only on the ground that he had repaid a sum of Rs.84 lakhs, whereas this petitioner, though he issued two cheques of



Rs.50 lakhs each pursuant to the Memorandum of Understanding, allowed the same to be dishonoured. It is further submitted that the earlier application was rejected and there is no change in circumstances. Hence, he opposed the grant of anticipatory bail.

5. The learned Government Advocate (Crl. Side), appearing for the respondent police, supported the submissions of the intervener and submitted that the petitioner has cheated the defacto complainant to the extent of Rs.50 lakhs by issuing dishonoured cheques. Hence, he opposed the grant of anticipatory bail.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. On a consideration of the facts, it is seen that the FIR was registered on 22.12.2025 and that the co-accused have already been released on bail. It is also not in dispute that there exists a Memorandum of Understanding between the petitioner and the defacto complainant dated 21.08.2024. Pursuant thereto, the petitioner had issued cheques, which were subsequently dishonoured, leading to the registration of the present FIR. A perusal of the allegations indicates that the primary allegations of extortion are against A1, whereas the allegation against this petitioner is limited in nature.



8. In such circumstances, and considering the existence of the Memorandum of Understanding and the lapse of time from the date of registration of the FIR, this Court is of the view that custodial interrogation of the petitioner is not required. Further, the dispute between the parties appears to have elements of a civil nature.

9. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

10. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Tambaram**, on condition that **the petitioner 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 conditions:

(a) If the petitioner fails to surrender before the concerned learned 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 petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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C.KUMARAPPAN, J.

MPA

To

1. The Judicial Magistrate, Tambaram.
2. The Inspector of Police,
Central Crime Branch- Tambaram City,
Tambaram City.
3. The Public Prosecutor,
High Court, Madras.

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