



Crl.O.P.Nos.3224 & 3301 of 2026

,IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.3224 & 3301 of 2026

and

Crl.M.P.No.2746 & 2749 of 2026

1.S.Murugan
2.Muthamil Selvi ... Petitioners in Crl.O.P.No.3224 of 2026/A1 & A2

1.Ajay Pratheeb
2.Sheila Ajay Pratheeb ... Petitioners in Crl.O.P.No.3301 of 2026 /A3 & A4

Vs.

The State Rep. By,
The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Chennai – 600 062.
Crime No.20 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.20 of 2026 on the file of the respondent police.

For Petitioners in

Crl.O.P.No.3224 of 2026 : Mr.P.Subbarao



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For Petitioners in
Crl.O.P.No.3301 of 2026 : Mr.Ashok Menon

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

Fir Intervenor : Ms.R.Raji

ORDER

The petitioners in both Ops herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4), 351(2) and 3(5) of BNSS, 2023 in Crime No.20 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioners is that the petitioners in Crl.O.P.No.3224 of 2026 are ranked as A1 & A2 and the petitioners in Crl.O.P.No.3301 of 2026 are ranked as A3 & A4. The allegation is that A1 and A3, approached the defacto complainant represented that A3 is having land and he intends to sell the same. The defacto complainant has come forward to pay Rs.10 lakhs to A3 and after collecting the money, it was agreed to execute the agreement for sale, however, no sale agreement was executed and subsequently, it revealed that, A3 by showing the land which



was facing legal issues, collected huge money from various persons including the defacto complainant and thereby cheated the defacto complainant to the extent of Rs. 10 lakhs.

3. The learned counsel for the petitioners submitted that, petitioners issued legal notices informing that the dispute arose between the parties are loan loan and there is no agreement entered between the parties regarding loan. He further submitted that, A3 initiated suit against the defacto complainant from initiating any legal action for recovery of money. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submitted that the defacto complainant is a cancer patient and he has been cheated on the promise of selling certain lands belong to A3, however, A3 is not having valid title and it has also been found that the petitioner had collected money from various persons by the same modus operandi. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that investigation in this case is pending and no money is recovered so far. Hence, he opposed for grant of anticipatory bail to the petitioners.



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6. Though, this Court sees that there are legal notices between the parties, it revealed that, A3 joining hands with other accused collected money from the defacto complainant, but has not come forward to execute the sale agreement. Further it revealed that, the land alleged to have been proposed sale is also have various legal issues and thereby petitioners cheated the defacto complainant. Further, this Court finds that overact is only against A3. Hence, this Criminal Original Petition is dismissed in respect of A3 (1st petitioner in Crl.O.P.No.3301 of 2026). There are no specific over act against other accused. Hence, this Court is inclined to granted anticipatory bail to the 2nd petitioner in Crl.O.P.No.3301 of 2026 and for both the petitioners in Crl.O.P.No.3224 of 2026 with the following conditions.

6. Accordingly, the petitioners (A1, A2 & A4) is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Ambattur** 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:



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[a] if the petitioners (A1, A2 & A4) fails to surrender before the concerned Magistrate within a period of ten 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 petitioners (A1, A2 & A4) 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

7. Consequently, connected miscellaneous petitions are ordered.

16.02.2026

sma

To

1. Judicial Magistrate, Ambattur
2. The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Chennai – 600 062.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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