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CRL OP No. 3928 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3928 of 2026

C. Saravanan

..Petitioner(s)

Vs

The State Rep By The Inspector of Police
J-6 Thiruvanmiyur Police Station
Thiruvanmiyur , Chennai - 600 041.
(Crime No. 509 of 2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of his arrest in Crime No.509 of 2025 on the file of the respondent police, pending investigation, on such terms and conditions as this Honble Court may deem fit and proper, and thus render justice.

For Petitioner(s):

Mr.Berlin Prabhu

For Intervenor

Mr.M.Mohammed Rafi

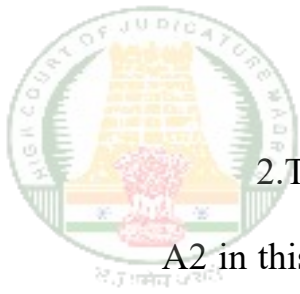
For Respondent(s):

Ms.J.R.Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 318(4) of BNS, 2023, in Crime No.509 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that the petitioner is ranked as A2 in this case, and A1 approached the defacto complainant stating that he was ready to sell the land belongs to him and collected a sum of Rs.40 lakhs. It was also agreed that Rs.26 lakhs to be paid out of Rs.40 lakhs for the purpose of settling loan on the property, and accordingly the amount was settled. Subsequently, it was revealed that the very same property was also under another mortgage, and hence the defacto complainant alleged that he had been cheated by A1 and A2. Hence, the case.

3.The learned counsel for the petitioner submitted that A1 in this case has been arrested and he is the one who made the promise of selling the property. The petitioner has not made any promise to sell the property and he is the one, intimated the defacto complainant regarding other mortgages against the properties. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4.The learned counsel for the Intervenor submitted that, based on the advice given by A2 in this case, the defacto complainant has come forward to purchase the property and also paid a sum of Rs.40 lakhs. If the petitioner is granted anticipatory bail, it would hamper the investigation. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that A1 in this case has been arrested and no money has been recovered. He further submitted that the investigation in this case is pending. Hence, he opposed for the grant of



anticipatory bail to the petitioner.

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6. Considering the fact that the petitioner is the Branch Manager of a bank and he is the one intimated the defacto complainant about the pendency of the loan, though it is stated that the second loan was suppressed by the petitioner, this Court is of the view that no monetary benefit was gained by the petitioner. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned XVIII Metropolitan Magistrate, Saidapet, Chennai*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 report before the respondent police daily at 06.30 p.m, for a period of one week and thereafter as and when required for interrogation;



(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18-02-2026

GBI

To

1.The State Rep By The Inspector of Police

J-6 Thiruvanmiyur Police Station

Thiruvanmiyur , Chennai - 600 041.

(Crime No. 509 of 2025)

2.The XVIII Metropolitan Magistrate, Saidapet, Chennai.

3.The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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