



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.4899 of 2026

P.Sundarraaj

... Petitioner

Vs.

The Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner/accused on anticipatory bail in the event of their arrest in Cr.No.02/2026 on the file of the respondent/complainant.

For Petitioner : Mrs.Tharika

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 420 of IPC in Cr.No.02 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The allegation against the petitioner is that he had agreed to sell the property belonging to him in favour of the defacto complainant for a total sale consideration of Rs.1.92 crores and had received a sum of Rs.1.45 crores as advance towards the sale consideration. Thereafter, the petitioner failed to come forward to execute the sale deed. Instead, he is alleged to have settled the property in favour of third parties, thereby creating encumbrance over the property, which led to the registration of the present case. Hence, the present petition has been filed by the petitioner seeking anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that even prior to the registration of the FIR, a civil suit had already been initiated between the parties, wherein the relief of specific performance has also been sought. He further submitted that the criminal complaint has been lodged only to harass the petitioner. The petitioner is ready to cooperate with the investigation and is also willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that the



FIR has been registered only recently and the investigation is still pending.

He further submitted that the petitioner had collected a substantial amount as advance and failed to execute the sale deed. Hence, he vehemently opposed the grant of anticipatory bail.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations, the fact that the investigation is pending, and the existence of a civil dispute between the parties and the allegation is violation and breach of contract, 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 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 made, before the learned **Judicial Magistrate-I, Thiruvannamalai District** 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 learned Magistrate concerned, and on further condition that:

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

27.02.2026

Vv

To

- 1.The Judicial Magistrate-I, Thiruvannamalai District
- 2.The Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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