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CRL OP No. 6255 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6255 of 2026

1. R.Moorthi
S/o Ramasamy,
D.No. 255d/190 1 A,
Mettu Street, Raja Theater,
Elambalur Post,
Perambalur - 621 212.
2. S.Sakthikumar
S/o Subramanian,
No.8, Vivekandar Street,
Attur Post, Pudupet,
Salem - 636 141.
3. Rajarethinam @ Rathinam
C/o P.Ramar,
No 5/266A, Anna Nagar,
Ladapuram East Post,
Perambalur - 621 101.

..Petitioner(s)

Vs

State rep. by The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Cr. No.636/2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioners on bail in the event of their arrest in Crime No.636 of 2025 on the file of the Respondent Police and thus render justice.



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For Petitioner(s):

K.Govi Ganesan

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 61(2), 319(2), 318(4), 336(3), 340(2) of BNS 2023 in Crime No.636 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had parted with huge sums of money on the promise made by the accused persons that they would arrange land for him. However, the accused persons failed to arrange the land as promised. It is further alleged that the issue also involves certain aspects relating to land dispute and impersonation. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



respondent police reiterated the prosecution case and submitted that the investigation in this case is pending and there is no previous case pending against the petitioner. Hence, opposed to grant anticipatory bail to the petitioners.

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

6. From the submissions made by the learned Government Advocate (Crl.Side) that this is a case where the defacto complainant has parted with huge sums which the accused promised that this petitioner would arrange for land, whereas the petitioners have not arranged the land. From the submissions of the learned Government Advocate (Crl.Side), it is amply clear that the issue in respect of the land dispute and impersonation, for which no custodial interrogation is required.

7. Considering the fact that the FIR was registered on 24.11.2025 and considering the further fact that the entire issue revolves around the sale of land, this Court is of the view that no custodial interrogation is necessary; hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.



8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Perambalur**, 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 conditions:

(a) If the petitioners fail 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 petitioners shall report before the respondent police everyday at 10.30 a.m., and 05.30 p.m., until further orders.

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. The Judicial Magistrate No.I, Perambalur.
2.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Cr. No.636/2025)

3.The Public Prosecutor
High Court of Madras,
Chennai.



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C.KUMARAPPAN, J.

MPA

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