



WEB COPY

CRL OP No. 7177 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7177 of 2026

1. Dhanasekaran
2. D.Usha

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police (Crime),
Pallavaram Police Station,
GST Road, Pallavaram,
Chennai-600 043.
Cr.No.18 of 2026.

..Respondent(s)

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, pleaded to enlarge the petitioners on bail in the event of their arrest in Cr.no.18 of 2026 on the file of the respondent Police, Pallavaram Police Station, Tambaram.

For Petitioner(s):	Mr.W.M.Abdul Azeez
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Criminal side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections Sections 406, 420 and 120 B of I.P.C. in Crime No.18 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the accused entered into a sale agreement with the defacto-complainant by receiving advance amount. However, the accused have delayed the execution of sale and also mortgaged the property with another person. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and further submitted that although the sale agreement was entered into in 2019, the petitioners have not executed the sale deed to date. It is further submitted that the petitioners received a sum of Rs.78,00,000/- as an advance amount for the registration of sale deed. Hence, he opposed the grant of anticipatory bail to the petitioners.

5. From the facts and circumstances of the case, it appears that the dispute is civil in nature and it would be appropriate for the defacto-complainant to approach a Civil Court. In these type of cases, question of custodial interrogation does not arise. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. 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 District**



Munsif cum Judicial Magistrate, Pallavaram, Tambaram, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- each (Rupees Twenty Five 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 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 first petitioner shall report before the respondent police daily at 10.30 am and 5.30 pm. for a period of one week and thereafter as and when required; the second petitioner shall report before the respondent Police as and when required;

(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 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]***;



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C.KUMARAPPAN, J.

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

23-03-2026

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To

1.The District Munsif Cum Judicial Magistrate,
Pallavaram, Tambaram.

2.The Inspector of Police (Crime),
Pallavaram Police Station,
GST Road,
Pallavaram,
Chennai-60 0043.

3.The Public Prosecutor
High Court of Madras.

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