



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 7304 of 2026

1. N.Sadees Kumar
2. Saraswathi

..Petitioner(s)

Vs

State of Tamil Nadu rep. by,
The Inspector of Police,
CCB-Salem City Police Station,
Salem City, Salem District.
Crime No.6 of 2026.

..Respondent(s)

Sengutuvel

[Permitted to intervene vide order dated
09.06.2026 made in Crl.MP.No.7205/2026 in
Crl.OP.No.7304/2026]

..Intervener(s)

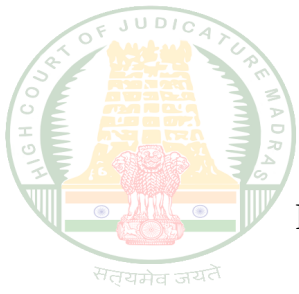
Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Cr.No.6 of 2026 on the file of the Inspector of Police, CCB-Salem City Police Station, Salem City, Salem District and pass such further or other orders as this Court.

For Petitioner(s):

Mr.S.P.Harikrishnan
For M/s.K.M.Vijayan Associates

For Respondent(s):

Mr.N.Palanivel
Government Advocate
(Criminal Side)



For Intervener(s):

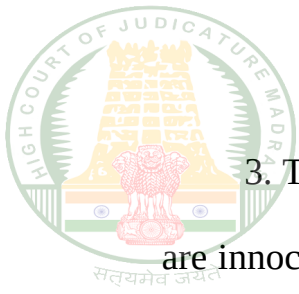
Mr.G.Udaya Shankar

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ORDER

The petitioners, apprehending arrest for the alleged offences under Sections 120B, 420, 465, 468, and 471 of the Indian Penal Code, 1860, in Crime No.6 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons (A1 to A3) entered into an oral sale agreement with the defacto complainant for certain properties. In pursuance of the agreement, A3 received Rs.45 Lakhs and Rs.8 Lakhs within a specified time period, while A1 received Rs.91,14,500/-, along with an additional Rs.10 Lakhs in cash paid to A2 and Rs.40 Lakhs in cash paid to A1. Thereby, the defacto complainant claims a total transaction value of Rs.1.94 Crores. Subsequently, the defacto complainant allegedly pledged the said property documents for a sum of Rs.14 Crores. In the year 2023, one Krishnamoorthy obtained a stay order before a Court of law regarding the property. When the defacto complainant verified the title documents, he allegedly discovered they were forged. Upon demanding a return of the money, the accused persons refused and issued life threats. Consequently, a complaint was preferred on 10.10.2025, and the FIR was registered on 03.03.2026. Hence, the case.



3. The learned counsel for the petitioners would submit that the petitioners are innocent of the allegations and have been falsely implicated. It is contended that the defacto complainant is actually a financier who secured the property documents for lending a loan of Rs.65 Lakhs, which was subsequently misused by the complainant to pledge the property for a massive sum of Rs.14 Crores. He further submitted that the petitioners hail from a respectable family background, have no bad antecedents, are ready to abide by any condition imposed by this Court, and will fully cooperate with the investigation. Hence, he prayed for the grant of anticipatory bail.

4. The learned counsel appearing for the intervening petitioner / defacto complainant vehemently opposed the grant of anticipatory bail. He contended that the accused persons, with a mala fide intention to defraud and cheat, suppressed the ongoing civil litigation and the operating stay order. He argued that the accused agreed to sell property belonging to a third party by creating forged documents and dishonestly induced the intervening petitioner to part with a substantial sale consideration. Therefore, he prayed for the dismissal of the petition.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police, while placing the instructions, reiterated the prosecution case but fairly submitted that the dispute primarily discloses a transaction of a civil



nature between the petitioners and the defacto complainant.

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6. I have given anxious consideration to the submissions made by the learned counsel on either side.

7. Considering the facts and circumstances of the case, the nature of the allegations, and the submission made by the learned Government Advocate that the matter arises from a dispute of a civil nature and that the second petitioner a woman facing threat of arrest, this Court is of the view that custodial interrogation of the petitioners is not strictly required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, 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 copy of this order is made ready, before the learned Judicial Magistrate No.2, Salem, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), each 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



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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, twice everyday at 10.30 a.m. and 05:30 p.m., until further order:

(d) The petitioners shall not tamper with the evidence or witness either during investigation or trial;

(d) The petitioners shall not abscond either during investigation or trial;

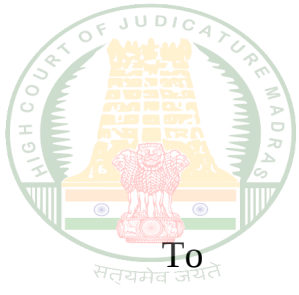
(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

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

09-06-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Judicial Magistrate No.2, Salem.
- 2.The Inspector of Police, CCB-Salem City Police Station,
Salem City, Salem District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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CRL OP No. 7304 of 2



C.KUMARAPPAN, J.

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CRL OP No. 7304 of 2026

09-06-2026
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