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Crl.O.P.No.8321 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8321 of 2026

1. N.Subramaniyan

2. A.Ramkrishnan

... Petitioners

Vs.

State rep. By its
Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City.
(Crime No.0154 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent Police in Crime No.0154 of 2026 on the file of the Inspector of Police, Saibaba Colony Police Station, Coimbatore City.

For Petitioners : Mr.G.Karthikeyan,
Senior Counsel
for Mrs.A.Jagadeeswari

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

For Intervener : Mr.A.Parthasarathy



ORDER

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The petitioners apprehend arrest for the alleged offence under Sections 316(2), 318(4), 61(2) and 351(2) of BNS, 2023 (Sections 406, 420, 120(B) and 506 of IPC) in Crime No.0154 of 2026, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the petitioners had allegedly received a sum of Rs.60 lakhs from the de facto complainant under the guise of purchasing land and, thereafter, cheated him and also threatened him with dire consequences. Hence, the complaint.

3.The learned Senior Counsel appearing for the petitioners submitted that the First Information Report came to be registered on 21.03.2026. According to the prosecution, the petitioners, who are land brokers, had received a sum of Rs.60 lakhs from the de facto complainant on the representation that they would purchase land on behalf of the complainant's mother, but neither completed the transaction nor repaid the amount. However, it is the contention of the learned Senior Counsel for the petitioners that the de facto complainant is a financier and that the amount in question was, in fact, a



loan transaction. It is further submitted that there was a settlement between the parties for a sum of Rs.40 lakhs, out of which a sum of Rs.7,00,000/- was paid in cash before the police station and another sum of Rs.9,00,000/- was paid through bank transfer. In order to demonstrate their bona fides, the petitioners are willing to deposit the remaining sum of Rs.24 lakhs before the Court below to the credit of Crime No.0154 of 2026.

4.The learned counsel for the intervener strongly opposed the bail application on the ground that the total amount involved is Rs.60 lakhs and that the intention to cheat existed from the very inception. It is further contended that, if the petitioners are enlarged on bail, it would be difficult to secure recovery of the said amount or ascertain its whereabouts.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioners.

6. I have given my anxious consideration to either side submissions.

7. While considering the allegations in the First Information Report, it is seen that the case arises out of a land transaction. According to the prosecution,



the petitioners had received a sum of Rs.60 lakhs from the de facto complainant for the purpose of purchasing land on his behalf and thereafter cheated him. However, it is the case of the petitioners that the amount in question was a loan transaction and that there was a subsequent settlement between the parties. Though the learned counsel for the intervener would rely upon a Memorandum of Understanding dated 29.10.2024, it is evident that the dispute between the petitioners and the de facto complainant has been subsisting from the year 2024 and that the entire transaction is essentially document-based. At this juncture, the learned Senior Counsel appearing for the petitioners has fairly submitted that the petitioners are willing to deposit a sum of Rs.24 lakhs to the credit of Crime No.0154 of 2026, in order to demonstrate their bona fides. In such circumstances, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioners is not 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 order copy is made ready, before the **Judicial Magistrate No.VII, Coimbatore** on condition that **each of 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:

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(a) The petitioners shall deposit a sum of Rs.24,00,000/- (Rupees Twenty Four Lakhs Only) to the credit of Crime No.0154 of 2026 on the file of the learned Judicial Magistrate No.VII, Coimbatore within a period of four weeks from the date of receipt of a copy of this order.

(b) On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Case.

(c) 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;

(d) 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;

(d) The petitioners 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;

(f) 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



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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]***;

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

10.04.2026

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To

- 1.The Judicial Magistrate No.VII, Coimbatore.
2. The Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City,
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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