



Crl.O.P.No.9948 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.9948 of 2026

Marimuthu

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. By the Inspector of Police,
CBCID – Kancheepuram,
Kancheepuram District.
(Crime No.2 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner's anticipatory bail in the event of his arrest in Crime No.2 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.G.Balamanikandan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4), 336(2), 338, 336(3),



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340(2) and 61(2) of BNS [corresponding Sections 420, 465, 468, 471 and 120(B) of IPC], in Crime No.2 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that he along with other accused sold vacant plots to the de facto complainant through the Power Agent (A3) by way of sale deeds in the year 2018. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a Power Holder and that he sold the property only after verifying the revenue and other documents, and therefore, the allegations against the petitioner are false and fabricated. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application on the ground that the petitioner sold the vacant plots to the de facto complainant and gained a sum of Rs.98 lakhs.



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5. Considering the totality of the circumstances and the nature of the allegations, and also considering that the transactions relate to the year 2018, this Court is of the view that, at this stage, no custodial interrogation of the petitioner is required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to the following conditions:

6. 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 is made ready, before the learned **Judicial Magistrate-I, Kancheepuram**, 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 of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month, 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1.The Judicial Magistrate-I, Kancheepuram.

2.The Inspector of Police,
CBCID – Kancheepuram,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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