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Crl.O.P.No.10303 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10303 of 2026

1.Dinesh Kumar

2. Baskaran

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
City Crime Branch – Avadi,
Avadi District,
Chennai.
(Crime No.36 of 2026).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in connection with Crime No.36 of 2026, pending investigation on the file of the respondent police.

For Petitioners : Mr.Lingam Chelladurai

For Respondent : Mr.P.Dhilpeean
Government Advocate (Criminal Side)

For Intervenor : Mr.S.V.Badriah



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ORDER

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 318(4) of BNS in Crime No.36 of 2026, seek anticipatory bail.

2. The case of the prosecution is that defacto complainant lodged a complaint against the petitioner and other accused alleging that accused have approached him and stated that he is running business in the name of Vetri Exports and Isha Exports and having loan sanction of Rs.6,00,00,000/- for which demanded his property document as collateral and promised him to pay Rs.4,00,00,000/- and on believing his words, he made collateral with the finance company namely M/s.Samunnati Finance and on the said promise , he executed memorandum to title deed, but failed to pay the amount and have failed to cancel the deeds. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and due to money dispute, false complaint has been lodged by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the defacto complainant submitted that the accused persons had cheated the defacto complainant to the tune of Rs.4,00,00,000/-. Hence, he opposed for grant of anticipatory bail to the petitioner.

6. Considering the above facts and circumstances and it is case of civil dispute, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Ponneri**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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To

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1. Judicial Magistrate No.II, Ponneri
2. The Inspector of Police,
City Crime Branch – Avadi,
Avadi District,
Chennai.
3. . The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN.,J.

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