



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10542 of 2026

A.Manikandan

... Petitioner(s)

Vs.

State represented by the Sub-Inspector of Police,
Kalamaruthur Police Station, Kallakurichi District.
Crime No.40 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on bail in the event of her arrest in connection with Crime No.40 of 2026 on the file of the respondent police.

For Petitioner(s)	: Mr.Surya Prakash
For Respondent(s)	: 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 191(2), 296(b) and 318(2) of BNS, 2023 and subsequently altered to Sections 191(2), 296(b), 351(3), 316 and 318(4) of BNS, 2023 (corresponding to Sections 147, 294, 506(2), 406 and 420 of IPC) in Crime No.40 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks the indulgence of this Court. He would submit that the defacto complainant had entered into a sale agreement with the petitioner/A1 and A2 with respect to a property measuring 3.2 acres for a total sale consideration. However, instead of executing the sale deed in favour of the defacto complainant, the petitioner and the second accused had sold the said property to A3 to A5. He would further submit that the petitioner is a subsequent purchaser and has nothing to do with the alleged transactions. It is also submitted that the sale deed was executed during the year 2023, whereas the FIR came to be registered only on 12.02.2026, after a considerable delay. Hence, he prayed for grant of anticipatory bail to the petitioner.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of anticipatory bail, is that the defacto complainant had entered into a sale agreement with the petitioner and the second accused, but the said property was subsequently sold to A3 to A5, thereby cheating the defacto complainant.



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4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

5. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, and considering the fact that the petitioner is a subsequent purchaser, that the sale deed was executed during the year 2023, and that the FIR came to be registered only on 12.02.2026, this Court is inclined to grant anticipatory bail to the petitioner, as custodial interrogation is not required at this stage.

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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.2, Ulunthurpet, on condition that the petitioner shall execute a 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 learned Magistrate concerned, and on further conditions that:



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(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 suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days 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.

28.04.2026

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To

1. The learned Judicial Magistrate No.2, Ulunthurpet.
2. The Sub-Inspector of Police,
Kalamaruthur Police Station, Kallakurichi.
3. The Public Prosecutor, High Court of Madras



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A.D.JAGADISH CHANDIRAJ, J.

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