



WEB COPY

CRL OP No. 11629 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11629 of 2026

1. Mathivanan
2. Santhaseelan

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Nagarasampatty Police Station,
Krishnagiri District.
(Crime.No.277/2025)

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.277 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s):

Mr.Thulasi R

For Respondent(s):

Mr.A.Gopinath,
Govt. Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 318(4), 314, 316(2) of BNS, in Crime No.277 of 2025 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the first petitioner is the elder brother of the second petitioner, who being the owner of a building consisting of a cinema theatre and metal sheet structures, induced the de facto complainant to renovate and run the theatre on the promise of higher profits and execution of a rental agreement. Believing the assurance, the complainant spent more than Rs.1 crore towards renovation and also paid advance amounts. Subsequently, dispute arose regarding renewal of license and possession of the theatre and the petitioners allegedly failed to honour their commitments, thereby causing wrongful laws to the complainant. Hence the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that dispute arose out of the lease agreement relating to the running of the cinema theatre. The de facto complainant has been operating the theatre from 2020 onwards pursuant to the lease agreement and later, raised claims regarding renovation expenses and other payments. Earlier complaints given before the police were closed as civil in nature. Suppressing the same, the present complaint has been filed with an intention to harass the petitioners and to give a criminal colour to a civil dispute. Hence, he prayed for grant of anticipatory bail to the petitioners.



4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

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

7. 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 made ready, before the learned **District Munsif-cum-Judicial Magistrate, Pochampalli**, 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 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:

[a] 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 everyday at 10.30.a.m., for a period of one month and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond during during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 269 of B.N.S.

07-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR/GSA



To

1. The District Munsif-cum-Judicial Magistrate,
Pochampalli.
2. The Inspector of Police
Nagarasampatty Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

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