



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13241 of 2026

P. Selvakumar
S/o. Palaniappan
411, Chettipalayam, Muthanampalayam,
Tiruppur South Taluk,
Tirupur District, Tamilnadu-641606

..Petitioner(s)

Vs

State by Inspector of Police
Central Crime Branch Police Station,
Tiruppur District.
(Crime No.7/2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge petitioner on bail in the event of his arrest by the respondent police pending investigation in Crime No. 7/2026 on the file of Inspector of Police, Central Crime Branch Police Station, Tirupur District.

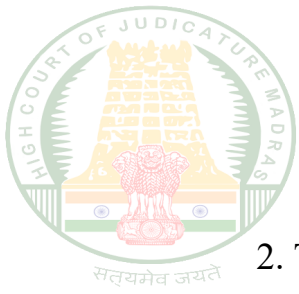
For Petitioner(s): MR. J SUDHAKARAN

For Respondent(s): MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)

FOR INTERVENOR: MR. R.Balaguru Swamy

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 406 and 409 of IPC, in Crime No.7 of 2026 on the file of the respondent police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the defacto complainant and his wife are doing business in the name and style of M/s.Maxwin Apparels Industries Private Limited in an immovable property owned by the defacto complainant. It is alleged that the petitioner, being a person known to the defacto complainant, induced him to execute a sale deed in his favour on the pretext of obtaining a bank loan for discharging his debts. Thereafter, the petitioner is alleged to have fraudulently grabbed the said property, mortgaged it to avail a substantial loan, and misappropriated the proceeds, thereby committing the offence of criminal breach of trust. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the alleged occurrence took place on 29.12.2021, whereas the FIR was registered only on 23.03.2026. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned counsel for the intervener submitted that the petitioner discharged certain loans of the defacto complainant and, thereafter, obtained the sale deed in his favour. He further submitted that, by taking advantage of the financial distress of the defacto complainant, the petitioner obtained the sale

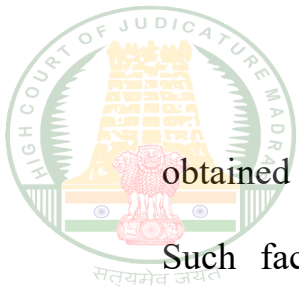


deed for a grossly inadequate consideration, which amounts to criminal breach of trust. He further submitted that the petitioner had subsequently mortgaged the property and availed a loan of Rs.2.5 crores. Unless the petitioner is subjected to custodial interrogation, the layering and utilisation of the said amount cannot be identified. Hence, he prayed for dismissal of the anticipatory bail petition.

5. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the subject property originally belonged to the defacto complainant. He further submitted that the property had been mortgaged and that the petitioner discharged certain loans of the defacto complainant and thereafter obtained a sale deed in his favour, while the defacto complainant continued to remain in possession of the property. Hence, he opposed to grant anticipatory bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. While looking into the factual position, it is not in dispute that the alleged occurrence took place on 29.12.2021 and that the sale deed stands in the name of the petitioner. The only issue for consideration is whether the sale deed was executed for the true market value of the property or whether it was



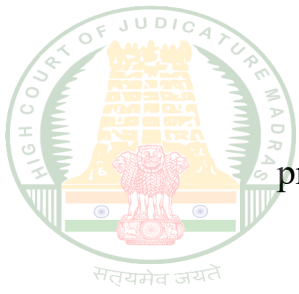
obtained by the petitioner through wrongful inducement and misrepresentation.

Such factual aspects can be adjudicated only during the course of trial proceedings. Considering the nature of the allegations and the delay in registration of the FIR, this Court is of the firm view that, at this length of time, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

8. 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 No.4, Tirupur**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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;

WEB COPY

(c) **The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of four weeks 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.

23-06-2026

DRL

To

1.The Judicial Magistrate No.4,
Tirupur.

2.The Inspector of Police
Central Crime Branch Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 13241 of 2



C.KUMARAPPAN, J.

DRL

**CRL OP No. 13241 of 2026
(2/2)**

23-06-2026