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Crl.O.P.No.13446 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13446 of 2026

1. Elumalai

2. Gurumoorthy

... Petitioners

Vs.

State by,
Inspector of Police,
Arcot Taluk Police Station,
Ranipet District.
Crime No.99 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest by the respondent Police in Crime No.99 of 2026 on the file of the respondent Police.

For Petitioners : Mr.Thirumoorthy. D

For Respondent : Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 318(4) of BNS (420 of IPC) in Crime No.99 of 2026, on the file of the respondent police seek anticipatory bail.

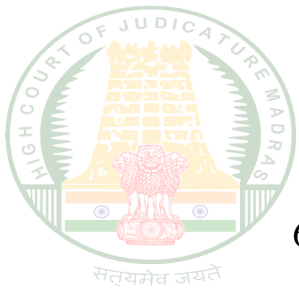


2. The case of the prosecution is that the de facto complainant had purchased a property comprised in Old Survey No.316, New Survey No.316/A1A, bearing Flat No.94. Subsequently, it came to light that the said property was not a patta land but a poromboke land. It is alleged that the petitioners, acting in concert, sold the said poromboke land to the de facto complainant and thereby induced him to part with money by misrepresenting the nature and title of the property. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions.



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6. From the submissions made by the learned counsel appearing on either side and the materials available on record, it is seen that the allegation against the petitioners is that they had facilitated the sale of Government land in favour of the de facto complainant. The first petitioner is stated to be a document writer, whereas the second petitioner is stated to have acted only as a broker in the transaction. Though the allegations levelled against the petitioners are serious in nature, this Court is of the considered view that custodial interrogation of the petitioners is not required at this stage of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Arcot** on condition that **each of the petitioners 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 petitioners fail to surrender before the concerned learned Magistrate within a period of fifteen (15)



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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;

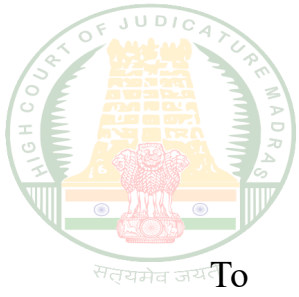
(c) The petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

04.06.2026

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To

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- 1.The Judicial Magistrate, Arcot.
- 2.The Inspector of Police,
Arcot Taluk Police Station,
Ranipet District.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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