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Crl.O.P.No.13804 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.13804 of 2026

Ragupathy

... Petitioner

Vs.

State rep by:

The Inspector of Police

K1 Sembium P.S

Chennai Dist. (Crime No.428/2023)

... Respondent

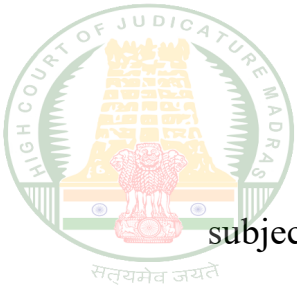
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of arrest by the respondent Police in Crime No.428 of 2023 on the file of the respondent Police.

For Petitioner : Mr.K.Chandru

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

ORDER

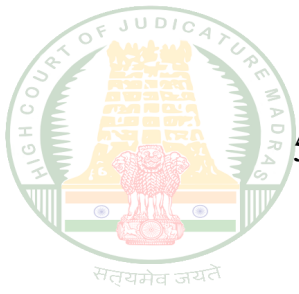
The petitioner apprehends arrest for the alleged offences under Sections 406, 419, 420, 465 and 467 of IPC in Crime No.428 of 2023, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that, pursuant to the allotment of the subject property to the de facto complainant under a compromise memo, the de facto complainant came to know that the petitioner had leased out the flats comprised in the said property to various tenants and had been collecting rent by representing himself as the owner thereof. It is further alleged that, when the de facto complainant approached the tenants seeking vacant possession of the premises, the petitioner, along with the tenants, demanded a lump sum amount and threatened the de facto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is 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 petitioner.

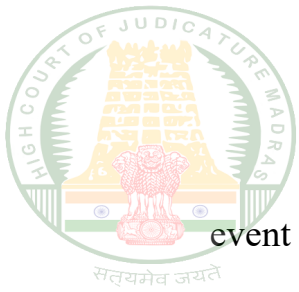
4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.



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, according to the prosecution, the petitioner had encroached upon the property belonging to the de facto complainant, in respect of which the present First Information Report came to be registered on 16.11.2023. However, the learned counsel for the petitioner would submit that the petitioner has been working under the de facto complainant for more than three decades and is also related to him. It is his further submission that the petitioner came into possession of the property only with the consent of the de facto complainant and his family members and, therefore, the allegation of cheating is wholly misconceived. Further, a prima facie consideration of the materials available on record would indicate that the dispute appears to be predominantly civil in nature. Apart from that, the First Information Report came to be registered as early as on 16.11.2023. Therefore, having regard to the lapse of time, this Court is of the considered view that the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned V Chief Metropolitan Magistrate, Egmore** on condition that **the petitioner 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 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;

(c) The petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of 15 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.***



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Crl.O.P.No.13804 c



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.

04.06.2026

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To

- 1.The V Chief Metropolitan Magistrate, Egmore.
- 2.The The Inspector of Police,
K1 Sembium P.S
Chennai District.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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