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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30499 of 2026

CNR: {HCMA012487342026}

M. Vigneshwaran

..Petitioner(s)

Vs

The State Represented By,
The Inspector of Police
Crime Branch,
Annathanapatty Police Station,
Salem City.
Ref Crime No. 396 of 2026

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS praying to grant Anticipatory Bail in Crime No. 396/2026 pending on the file of the Inspector of Police, Annathanapatty Police Station, Salem City for the offences 120B, 406 and 420 IPC and thus render justice.

For Petitioner(s): Mr.S. Sheik Ismail

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl.Side)

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ORDER

The petitioner apprehends arrest for the alleged offences under Sections 120-B, 406 and 420 of IPC in Crime No**.396 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 gave a false assurance of securing a loan and fraudulently obtained the signature of the de facto complainant on a settlement deed executed in favour of A3 at the Dhathagapatty Sub-Registrar Office (SRO). Further, A1 took the de facto complainant to the bank, obtained her signature on a self-withdrawal slip, and withdrew the money from her account by taking advantage of her ignorance.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that he has not committed any offence as alleged by the prosecution. He further submitted that A1 and A2 had already been granted anticipatory bail vide order dated 12.10.2026 in Crl.M.P.No.2581 of 2026 by the learned Principal Sessions Judge, Salem. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

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

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

6. The matter pertains to an alleged case of cheating and criminal breach of trust arising out of a property sale. According to the petitioner, the de facto complainant had executed a registered sale deed in favour of the petitioner herein (A3) for a sale consideration of Rs. 32,00,000/-. According to the de facto complainant, co-accused A1 took her to the bank and fraudulently obtained her signed withdrawal slips, passport, ATM card, Aadhaar card, and chequebook. Conversely, it is the case of the petitioner (A3) that the primary and substantive allegations of fraud and misappropriation are directed solely against A1 and A2, and no overt act is attributed to the petitioner. Considering the nature of the allegations and the dispute between the parties and that fact that the co-accused (A1 and A2) had already been granted anticipatory bail, this Court is of the firm view that, custodial interrogation of the petitioner/A3 is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

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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 Judicial Magistrate No.IV, Salem** 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 slip (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 am for a period of one week 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 is released on

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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.

30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA

To

1. The Judicial Magistrate No.IV,
   Salem,

2. The Inspector of Police
   Crime Branch, Annathanapatty Police Station,
   Salem City.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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