



WEB COPY



Crl.O.P.No.35791 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.35791 of 2025 and
Crl.M.P.No.24903 of 2025

1.B.V.Raajan
2.V.Priyanka Rajan
3.D.C.Ashok Raajan

... Petitioners

Vs.

State, rep. by Inspector of Police,
Soundarapandiyanar Angadi Police Station,
T.Nagar, Chennai - 600017.
(Crime No.184 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.184 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Abubacker
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)
For Intervenor : Mr.V.V.Giridhar

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023** in **Crime No.184 of 2025** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners, who are



ranked as A1 to A3 and they come forward to sell the property worth about Rs.1.68 crores belonging to them. They have executed agreement for sale but failed to complete the transaction due to various reasons. The accused herein have repaid only Rs.58 lakhs, which was paid through cheques and however, they failed to repay Rs.90 lakhs, which was paid through cash. Hence the case has been registered.

3. The learned counsel for the petitioners submitted that it is a case of an agreement for sale and, based on the value fixed, they have returned the money. Further, if at all any grievance exists, the defacto complainant has to initiate an appropriate forum and not by way of registering a criminal case. He further submitted that the petitioners 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 counsel for the intervenor submitted that the petitioners have executed acknowledgments stating that they have collected a sum of Rs.90 lakhs by way of cash and Rs.58 lakhs by way of cheques but they have not repaid Rs.90 lakhs and swindled the same. He further submitted that if the petitioners granted anticipatory bail, they would hamper the investigation.



Hence, he opposed to grant anticipatory bail to the petitioners.

WEB COPY

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the investigation in this case is still pending and so far no one was arrested. However, he opposed to grant anticipatory bail to the petitioners.

6. Considering the fact that it is a case of payment of non repayment sale considerations, which was paid on the basis of agreement for sale entered between parties and since the sale transactions have not been concluded and a criminal case has been registered, I am of the view that custodial interrogation is not necessary for investigating the nature of the case. Hence, I am 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 XVII Judicial Magistrate, Saidapet, Chennai**, on condition that **the petitioners shall execute a separate 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 fails to surrender before the concerned 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 petitioners shall report before the respondent Police everyday at 6.30 p.m., for a period of two 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 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 absconds, a fresh FIR can be registered under Section 269 of BNS Act.

Consequently, the connected miscellaneous petition stands ordered.

08.01.2026



CrI.O.P.No.35791 of 2023

To

- 1.The XVII Judicial Magistrate, Saidapet, Chennai.
2. The Inspector of Police, Soundarapandiyanar Angadi Police Station,
T.Nagar, Chennai – 600017.
- 3.The Public Prosecutor, High Court of Madras.

K.RAJASEKAR, J.

ssi



WEB COPY



Crl.O.P.No.35791 of 2025

Crl.OP.No.35791 of 2025

08.01.2026