



CRL OP(MD). No.1935 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

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Krishnasamy @ Siva

... Petitioner / Accused No.4

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.61 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, praying to grant anticipatory bail to the petitioner in Crime No.61 of 2026 on the file of the respondent police.

For Petitioner : Mr.G.Gowtham

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

For Intervener : Mr.SMA Jinnah
in Crl.MP(MD).Nos.3364 and 3367 of 2026

Mr.M.Kannan
in Crl.MP(MD).No.6664 of 2026



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.61 of 2026 for the offence punishable under Sections 316(2), 318(2), 318(4), 336(2), 336(3), 340(2), 296(b), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a printing business under the name “Deva Offset”. In July 2025, he purchased land to an extent of 6.5 cents for a total sale consideration of Rs.81,90,000/- and got the sale deed registered in his name and in the name of his wife. Subsequently, one Muralidharan claimed ownership over the said property on the strength of prior title documents and forcibly removed the fencing put up by the defacto complainant. Upon enquiry, it came to light that the vendors who sold the property to the defacto complainant had no valid title and had impersonated the real owners by creating false documents. When the defacto complainant demanded refund of the sale consideration, only a small portion of the amount was returned, while the remaining amount was misappropriated



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by the accused. It is further stated that the accused also criminally intimidated the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, has not committed any offence as alleged by the prosecution, and has been falsely implicated in this case. He further submitted that the petitioner is a law-abiding citizen and is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court. He also submitted that the petitioner has repaid a sum of Rs.10 lakhs to the defacto complainant. Accordingly, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner had acted as a mediator between the parties. He also submitted that material part of the investigation has already been completed. He further submitted that the co-accused has been arrested and subsequently released on bail. He further submitted that the total amount involved in the case is Rs. 81,90,000/-. Therefore, he contended that the custodial interrogation of



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the petitioner is necessary and, therefore, strongly opposed the grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the defacto complainant submitted that the petitioner had acted as a broker and, in collusion with other accused persons, cheated the defacto complainant and several others, causing a huge financial loss. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.

6. The learned counsel for the victim submitted that the victim is the original owner of the subject property and that the accused persons, having no valid right or title, had fraudulently sold the property to the defacto complainant. He further submitted that the victim had also lodged a complaint before the Superintendent of Police, Virudhunagar, seeking appropriate action; however, no effective steps were taken by the respondent police. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.

7. This Court heard the learned counsel on either side and perused



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the materials placed on record.

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8. Considering the rival submissions made on either side and the nature of the offence, and taking into account the fact that the petitioner is not a party to the documents in question, that the co-accused has already been released on bail, and that the petitioner has repaid a sum of Rs.10,00,000/- to the defacto complainant, and further considering that there are no previous cases against the petitioner and also considering the fact that material part of the investigation has already been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.II, Sivakasi, on condition that the petitioner shall execute a bond for a sum of Rs. 10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer,



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who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(c) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(d) the petitioner shall not leave India without the prior permission of the Court;

(e) the petitioner shall not abscond either during investigation or trial.

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

- 1.The Judicial Magistrate Court No.II,
Sivakasi.
- 2.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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ORDER
IN
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