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CRL OP(MD). No. 17705 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Mahesh Kumar

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.
(Crime No. 698 of 2025)

*(amended as per order dated 23.10.2025
in Crl.M.P.(MD) No.15242 of 2025 in
Crl.O.P.(MD) No.17705 of 2025)*

...Respondent

For Petitioner : Mr.C.Suresh Kannan
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For Intervenor : Mr.B.Micheal Sebastin

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 698 of 2025 on the file of the



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respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 318(4), 296(b) and 351(2) of BNS, 2023 in Crime No. 698 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was introduced to one the petitioner through one Pradeep Kumar and the petitioner owned a property and intended to sell the same. Due to urgent need of money, the petitioner urged the defacto complainant to buy, due to which the defacto complainant paid Rs.10,00,000/- to the said Pradeep Kumar and Rs.19,95,750/- to the petitioner. However, after receiving the same, the petitioner deliberately kept delaying it. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He would further submit that the petitioner



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has repaid a part amount of Rs.5,00,000/- to the defacto complainant and interim anticipatory bail was also granted to the petitioner. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned Government Advocate (Crl. Side) fairly submits that due to dispute in selling property, the occurrence happened and earlier, the matter was referred to mediation, where the petitioner paid a sum of Rs.5,00,000/- to the defacto complainant and already interim anticipatory bail was granted to the petitioner. However, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and considering the facts that there is a dispute between the parties in respect of sale of the property and already interim anticipatory bail was granted and when the matter was referred to mediation, the petitioner also made some payments, I am inclined to grant anticipatory bail to the petitioner, subject to the



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following conditions:

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[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Munsif cum Judicial Magistrate, Boothapandi, Kanyakumari, and on further conditions that:

[b] the petitioner shall report before the respondent police, on every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the



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learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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 B.N.S.

apd

(P D B J)
30.03.2026
(2/2)

To

- 1.The Munsif cum Judicial Magistrate,
Boothapandi,
Kanyakumari.
- 2.The Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 17705 of 2025

Date : 30.03.2026
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