

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,  
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,  
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE.**

**Monday, this the 16<sup>th</sup> day of March, 2026**

**CRIMINAL MISCELLANEOUS PETITION No.473/2026**

C. Velumani (Age 43 years),  
S/o. late. K. Sivasamy,

... Petitioner/Accused.

/ vs /

State, Rep. by  
through the Inspector of Police,  
**R.S. Puram Police Station,**  
**Crime No. Not Known.**  
**Offences: u/s.318 of BNS.**

Through the Public Prosecutor, Coimbatore.  
(The Judicial Magistrate Court No.1, Coimbatore.)

... Respondent/Complainant

This petition has been filed through **e-Filing** on behalf of the petitioner to release him on anticipatory bail u/s.482 of BNSS.

This petition is coming on this day for final hearing before this Court in the presence of **Tvl. P. Parameshwaran, R. Nithya, P. Selvakathampari, R. Vetrivel, R. Sharmila, R. Kethrin Theresa and R. Pavithra**, Advocates for the Petitioner / Accused and **Thiru. V. Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

**ORDER**

**Heard both side.**

The petitioner seeks anticipatory bail for the alleged offences u/s.318 of BNS.

2. The learned counsel for the petitioner has submitted that the petitioner apprehends arrest at the hands of the respondent police, and it is purely a civil dispute and the petitioner is having permanent resident and he is ready to abide any conditions imposed by this Court and prays for grant of anticipatory bail to him.

3. The learned Public Prosecutor has submitted that current paper enquiry is pending. The allegation against the petitioner is that, the subject matter of the property belongs to the petitioner and he pledged the property in the finance company and as he did not repay the loan amount and the Manager of the said finance company introduced the defacto complainant to the petitioner and the petitioner agreed to sell his property to the defacto complainant for a sum of Rs.30 lakh and on the desire words of the petitioner, the defacto complainant paid an advance sale consideration of Rs.3.70 lakh to the petitioner and later the defacto complainant came to know that the petitioner sold his property to third party and when the defacto complainant enquired about it, the petitioner did not respond to him. The petitioner has not refunded the advance sale consideration received from the defacto complainant. Hence the complaint.

4. Heard. The allegation against the petitioner is that the petitioner pledged his property to a finance company as security for a loan, and he did not repay the loan, and therefore the petitioner decided to sell the property and entered into a sale agreement for Rs.30 lakh and received an advance of Rs.3.70 lakh from the defacto complainant and while so, the petitioner sold the same property to a third party, depriving the defacto complainant of the property and the advance amount, and subsequently failed to refund the advance sale consideration. It is the main contention of the petitioner that, he entered into a sale agreement with the defacto complainant to sell his property and again two unregistered sale agreement were made and since the defacto complainant has not come forward to complete the sale in due time, the petitioner suffered a huge loss and even after the agreement period ended, the petitioner waited, but the defacto complainant did not come forward to execute the sale and with no other option, and as the petitioner had to urgently pay off his loan to the bank, he was forced to sell his property to third party to settle the debt and it is purely a civil dispute and the petitioner apprehends arrest at the hands of the respondent police and prays for grant of anticipatory bail to him. The learned Public Prosecutor reported that, the petitioner called for enquiry by the police and while so he has come forward with this petition. He further reported that, no previous case is pending against the petitioner. After considering all the above said aspects, considering the nature of dispute, facts and circumstances of the case, the petitioner has no previous case, since he apprehends arrest at the hands of the respondent police, **this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-**

(i) Anticipatory bail is granted to the petitioner.

(ii) The petitioner shall execute a bond for Rs.10,000/- in the event of his arrest or the petitioner shall surrender before the Judicial Magistrate No.1, Coimbatore and execute a bond of Rs.10,000/- within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iii) The petitioner shall produce two sureties for likesum each to the value of Rs.10,000/- each to the satisfaction of the Judicial Magistrate No.1, Coimbatore within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iv) 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.

**(v) The petitioner is directed to sign before the respondent police, daily at 10.00 a.m. for a period of 15 days.**

(vi) The petitioner shall not abscond either during investigation or trial.

(vii) The petitioner shall not tamper with evidence or witness either during investigation or trial.

(viii) 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 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]**.

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

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 16<sup>th</sup> day of March, 2026 .

PRINCIPAL DISTRICT & SESSIONS JUDGE,  
COIMBATORE.

**CC to ( sent via email):**

1. The Judicial Magistrate Court No.1, Coimbatore.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, RS Puram Police Station.
4. Counsel for the Petitioner/Accused Person.