

**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, CHENGALPATTU**

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Thursday, the 16th day of July 2026

Crl.M.P. No.1123 of 2026
(CNR No. TNCG01-002430-2026)

Muthukumar, aged about 71 years, S/o.Subramaniam,
No.82C/333, Gujji Main Road,
Anna Nagar East, Chennai - 600 102.

.. Petitioner/accused

//Versus//

State of Tamilnadu,
Rep. by Inspector of Police,
C.C.B. - Tambaram City
Cr. No.82 of 2026
U/s.406, 420, 120(B) of IPC.

.. Respondent/Complainant

// and //

1. Chakrapani, S/o.Kesavaperumal,
2. Eswari, W/o.Kalimuthu,
3. Shobana, W/o.Vasanth,
4. Uma Kamali, D/o. Palaniyappan,
5. Shanmugaraja, S/o.Natarajanswamy

.. Intervenors/victims in
CMP No.1263 of 2026

// and //

S.Arunachalam,
S/o.Sankara Moopanar

.. Intervenor/defacto complainant
in CMP No.1322 of 2026

This petition for anticipatory bail coming on this day for hearing before me, M/s.S.Rajavignesh, the learned counsel is appearing for the petitioner/accused, M/s.V.Krishnamoorthy, the learned Public Prosecutor is appearing for the respondent/complainant, M/s.G.Palanikumar, the learned counsel appearing for the intervenors/victims in Crl.M.P. No.1263 of 2026

and of M/s.M.Varadhan, the learned counsel is appearing for the intervenor/defacto complainant in Crl.M.P. No.1322 of 2026, upon hearing the submissions made by the parties and upon perusal of case records, this Court made the following:

ORDER

The petition in Crl.M.P. No.1123 of 2026 is filed by the petitioner/accused U/s.482 of B.N.S.S, 2023 praying to enlarge the petitioner on anticipatory bail, whereas the petitions in Crl.M.P. No.1263 of 2026 and 1362 of 2026 are filed by the victims and the defacto complainant/intervenors in order to object to grant anticipatory bail to the petitioner.

2. The petitioner/accused apprehends arrest at the hands of respondent police for the alleged offences U/s.406, 420, 120(B) of IPC in connection with the Cr. No.82 of 2026 of respondent Police Station.

3. Notice given to the Public Prosecutor for the State and the reply submitted. Heard both sides; records perused.

4. The case of the prosecution is that, the petitioner/accused along with others have formed an association namely '*Senaithalaivar Nagar Plot Owners Welfare Association*' and decided to purchase land and to develop the same into Plots and to allot to the members of the Association, thereby, the petitioner had collected money from the members of the association. However, the petitioner/accused joined hands with the other accused, failed to provide housing Plot as agreed, thereby, cheated the defacto complainant to the tune of Rs.78,00,000/-. Thereby, on receipt of complaint, a case in Cr. No.82 of 2026 has been registered on the file of the respondent police station.

5. The learned counsel appearing for the petitioner/accused would submit that originally the petitioner along with other accused - being the office bearers of the Association, with the consent of the association members, decided to purchase lands and developed the same into plots and allot such plots to the association membes; accordingly, the association members paid the amount to the bank account of the association; the total estimate of the project is around Rs.100 Crores; however, since the association members paid only a meagre amount, totaling to the tune of Rs.7.5 Crores, the project could not be completed; thereafter, most of the association members refused to pay the remaining amount and some of the members insisted to return back the amount; but since the landlord did not returnback the amount paid by the association, the office bearers could not be able to repay the money; the petitioner lodged a complaint before the CCB, Tambaram against the landlord, who refused to pay back the money, and the same is pending; that apart, since some of the members vehemently demanded money from the petitioner/accused, he settled to some of the members, and in some member, he himself handed over his own property documents to them; in fact this petitioner is the victim, facing huge loss; while the facts are being so, the respondent police falsely foisted this case against the petitioner; moreover, the petitioner is ready to abide by any conditions to be imposed upon him and he is ready to offer substantial sureties before the court, thereby praying to grant anticipatory bail to the petitioner.

6. During the pendency of the application, the learned counsel for the petitioner filed the affidavit executed by the petitioner/accused and stated that even now the petitioner is ready to hand over the property to the

association members in some other place. That apart, the petitioner is a senior citizen, aged 71 years and hence, he prays to consider the anticipatory bail application.

7. The learned Public Prosecutor, on the other hand, vehemently reiterated the complaint version. He would further submit that the investigation is not yet completed and hence, he prays for the dismissal of the petition.

8. The learned counsel for the intervenors/victims made his arguments in consonance with the arguments made by the learned Public Prosecutor and objected to grant anticipatory bail to the petitioner.

9. The learned counsel for the intervenor/defacto complainant made his arguments stating that, initially the petitioner/accused had assured to provide plots at in and around Chennai. However, now the petitioner took a stand as if he is ready to provide plots in some other place, which far away from Chennai. That apart, the properties mentioned in his affidavit does not belong to him, which shows his attitude to evading from his responsibility. Hence, he vehemently opposed to grant anticipatory bail to the petitioner. He also filed the Memo of objection to the affidavit filed by the petitioner.

10. During the pendency of the application, on the request made by both sides, this court referred the matter for mediation. Though sufficient opportunities given, no amicable compromise/settlement arrived at between the parties.

11. The Affidavit filed by the petitioner/accused and the Memo of objection filed by the intervenor/defacto complainant have been carefully considered and perused. The submissions made by the parties also

considered.

12. From the submissions of respective sides and from the perusal of records, it is seen, on the pretext of developing lands into Plots and to allot the same to the association members, the petitioner/accused had collected money from the association members. However, failed to provide housing plots to the members thereby cheated them. The learned counsels who are appearing for the intervenors as well as the learned Public Prosecutor categorically stated that the petitioner/accused had misappropriated money to the tune of Rs.3,18,30,200/-. It is submitted by the learned Public Prosecutor that the investigation is only at the preliminary stage and the misappropriated money is yet to be secured. Taking into consideration of the gravity of the offence, nature of allegations levelled against the petitioner/accused, money involved in the offence is huge and the money is not yet recovered, though sufficient opportunities provided to the petitioner/accused, he has not chosen to settle the dispute, the investigation is only at the preliminary stage and also considering the overall facts and circumstances of the case, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

13. In the result, the anticipatory bail application in Crl.M.P. No.1123 of 2026 is dismissed; the intervenor petitions in C.M.P. No.1263 of 2026 1322 of 2025 are closed, accordingly.

Pronounced by me in the open court, on this the 16th day of July 2026.

Principal District and Sessions Judge,
Chengalpattu.