

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

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

Date: Wednesday, the 03rd day of June 2026.

Crl.M.P. No.1659 of 2026 (C.C. No.06 of 2014 on the file of the
learned Judicial Magistrate No.II, Chengalpattu)
(CNR No. TNCG01-003457-2026)

Vikram Agnihotri, aged 57 years,
S/o. Jagdish Chandra Sharma (Late) .. Petitioner/Accused.

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
District Crime Branch, Kancheepuram
Cr. No.87 of 2013 .. Respondent/Complainant
U/s.318(4) of BNS, 2023.

// and //

K.Lakshmi, W/o.Kumaraguru, .. Intervenor/defacto complainant
in CMP No.1700 of 2026

&

M.Vijayakumar, .. Intervenor/3rd Party in
CMP No.1743 of 2026

This petition for bail coming on this day for hearing before me,
M/s.G.Prabhakaran, the learned counsel appearing for petitioner/accused,
M/s.R.Thirumurugan, the learned Public Prosecutor appearing for the
respondent/complainant, M/s.M.Gopi, the learned counsel appearing for the
intervenor/defacto complainant and of M/s.N.Perumal, the learned counsel
appearing for the intervenor/3rd party, upon hearing the respective sides and
upon perusal of case records, this Court made the following

ORDER

The petition in Crl.M.P. No.1659 of 2026 is filed by the petitioner/

accused U/s.483 of BNSS 2023, seeking to enlarge the petitioner on bail, whereas, the CrI.M.P. No.1700 of 2026 and CrI.M.P. No.1743 of 2026 have been filed in order to object to grant bail to the petitioner/accused.

2. The petitioner/accused is facing charges for the alleged offences punishable U/s.318(4) of BNS, 2023.

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

4. The facts leading to file the present bail application, according to the prosecution, is that initially one Beemaraja approached the defacto complainant and her father who are the title holders of the subject matter property for sale and after several rounds of negotiation, sale consideration was fixed and the said Beemaraja paid a sum of Rs.45,00,000/- as advance. Since the sale was not completed, the said amount has been returned back to them. Thereafter, the said Beemaraja made them to execute a Joint Power Deed in favour of one Sulochana and by using the said Joint Power deed, executed a sale deed in favour of M/s.Pacifica Builders Private Limited rep. by its Regional Manager one Vikram Agnihotri (A3) for consideration. However, the said Beemaraja and Sulochana have failed to pay the share of the sale consideration to the defacto complainant thereby cheated her. Accordingly, the defacto complainant lodged complaint before District Crime Branch, Kancheepuram, accordingly a case came to be registered in Cr. No.87 of 2023. The Investigation Officer, after completion of Investigation, filed the Final Report before the learned Judicial Magistrate No.II, Chengalpattu against three accused, where the present petitioner is arrayed as A3. Cognizance of offence was taken on file by the learned Judicial Magistrate and the case was numbered as C.C. No.6 of 2014.

4.a. During the pendency of the case, the accused A1 to A3 have approached the Hon'ble High Court, Madras by filing several OPs for quash the FIR, however, all those applications were ultimately dismissed by the Hon'ble High Court, Madras. Further, the A2 one Sivaraman preferred a Special Leave application No.3976 of 2024 for quash the charges against him in C.C. No.6 of 2014, and the Hon'ble Apex Court allowed the appeal and quashed the charges against him and issued a direction to the trial court as *'Taking into consideration the long pendency of the case, the trial court is directed to expedite the trial in C.C. No.6 of 2014'*. Mean while, the defacto complainant filed O.P. before the Hon'ble High Court, Madras in Crl.O.P. No.3627 of 2021 seeking a direction to the respondent police to execute the Non-Bailable Warrant issued against all the three accused by the Judicial Magistrate No.II, Chengalpattu. The Hon'ble High Court of Madras, by order dated 28.04.2023, issued direction, directing the accused A1 to A3 to appear before the trial court, failing which, the respondent police shall execute the warrant issued by the trial court. Pursuant to which, the petitioner was arrested, thus, the present bail application.

5. The learned counsel for the petitioner would submit that the petitioner was formerly working as Regional Manager of M/s.Pacifica Builders Private Limited, and on 09.04.2007, he purchased the subject matter property from the power holder of its principal one Sulochana for a valid consideration, representing on behalf of the said Company; the entire sale consideration of Rs.8.5 Crores was paid to the said Sulochana; later he came to know that the said Sulochana failed to pay the share of sale consideration to her principal - the defacto complainant, accordingly, the defacto complainant lodged the complaint; on 28.06.2018, the petitioner/

accused was terminated from his job on resignation with the said M/s.Pacifica Builders Private Limited and he joined with the other company, later he shifted to Hyderabad and pursuing his own business; even before completion of the service of summons, the petitioner and other accused have approached the Hon'ble High Court, Madras for their quash of the CC proceedings in Crl.O.P. No.3251, 3269 of 2014 and the Hon'ble High Court of Madras was pleased to grant interim stay and order of dispense with the appearance of the petitioner and the same was duly informed to the trial court; at the time of resignation of his job from M/s.Pacifica Builders Pvt Ltd, the company would undertake to take care the pending legal proceedings in respect of the petitioner and they would duly inform the petitioner whenever his presence is necessary, however, unfortunately, there was no communication from the end of the company till date with regard to the status of the case; only at the time of arrest of the petitioner, he came to know about the final disposal of the above Crl.O.P's and pendency of NBW as per the orders issued by the trial court; the non-appearance of the petitioner before the court is neither wanton nor wilful, but purely ensued on account of the aforesaid reasons; the petitioner was arrested on 13.05.2026 and he is under judicial custody for the past 22 days; further the co-accused has been granted bail by this court in Crl.M.P. No.2358 of 2025 dated 06.08.2025; 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 prayed for enlargement on bail.

6. The learned Public Prosecutor, on the other hand, would re-iterate the prosecution case and prays for the dismissal of the petition.

7. The learned counsel who is appearing for the intervenor/defacto complainant and the intervenor/3rd party made his arguments in length canvassing that from the very beginning, by suppressing the terms of the Joint Power Deed, the accused have executed the sale of the subject property not only without the knowledge of the defacto complainant, but also failed to pay the share of sale consideration to her; having come to know that she was cheated, the defacto complainant lodged a complaint; thereafter, she runs pillar to post, i.e., Magistrate's court to Hon'ble High Court, Madras and obtained several orders and directions; however, the accused have failed to obey the orders of the Court of Law. He further explained that in the present case, the complaint has been lodged during the year 2013, after filing the Final Report, case was taken on file during the year 2014; after a passage of about 12 years, till the case is stalled without progress, while the Hon'ble High Court of Madras disposed of the quash applications in CC proceedings, issued direction to the accsued persons to appear before the trial court and co-operate for trial, but the accused have never heed to the orders of the Court and hence, he vehemently opposed to grant bail to the petitioner.

8. On perusal of the case records, it appears that though the petitioner/accused obtained anticipatory bail from the Hon'ble High Court, Madras, later he never turned up before the trial court in order to attend the trial proceedings. It is further seen, the Hon'ble High Court of Madras, by order dated 28.04.2023, issued direction, directing A1 to A3 to appear before the trial court, failing which, the respondent police shall execute the warrant issued by the trial court. Even thereafter, the petitioner/accused failed to appear before the court for the past three years. It is further seen

the case has been stalled for the past 12 years. The gravity of the offence need not be considered at the stage of proceeding before the trial court. The matter for great concern would be the accused voluntarily jumped bail, causing atmost hindrence to the trial proceedings. Taking into consideration the prolonging of the trial, the petitioner failed to obey the order of the Hon'ble High Court, and also considering the facts and circumstances of the case, this court is not inclined to grant bail to the petitioner.

9. In the result, the bail application in Crl.M.P. No.1659 of 2026 is dismissed. The Intervenor applications in Crl.M.P. No.1700 of 2026 and Crl.M.P. No.1743 of 2026 are closed, accordingly.

Pronounced by me in open Court, on this the 03rd day of June 2026.

Principal District and Sessions Judge,
Chengalpattu.