

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, CHENNAI

Thiru.S.Karthikeyan, M.A., M.L., M.Sc., PGDCFSc., PGDDF.,

Principal Sessions Judge.

Thursday, the 25th day of June, 2026.

Crl.M.P.No.4922/2026

in

P-6, Kodungaiyur P.S. Crime No.200/2026

1. Bharathi

2. Nagaraj

.. Petitioners/Accused

Vs.

State Rep. by

The Inspector of Police,

P-6, Kodungaiyur Police Station,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before this court for hearing in the presence of M/s.P.Chandra Sekar, M.Sathyasai Eswari, M.Vetrivel and M.Rajkumar, the Counsel for the petitioner and of the CPP for respondent police and upon hearing both sides, this Court delivered the following,

ORDER

1. The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable u/s 420, 465, 468, 471 of IPC in Crime No.200/2026 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submits that the defacto complainant and the petitioners were well acquainted with each other for several years. The subject property was originally purchased by Bharathiammal from one Mahalingam in the year 1988. From the date of purchase, Bharathiammal and her family have been in open, continuous and uninterrupted possession and enjoyment of the property and had even constructed a residential house therein. The defacto complainant, Thiagarajan, is a close friend of Bharathiammal's son Nagarajan. Through such friendship, the defacto complainant became aware of the property and expressed his willingness to purchase the same. All negotiations, discussions and transactions were carried out openly and with the full knowledge and consent of the parties concerned. The defacto complainant was fully aware that the property was originally an assigned land and that obtaining Government NOC/clearance was necessary for completing the proposed sale transaction. Knowing fully well about the legal status of the

property and the difficulties in obtaining NOC, the defacto complainant voluntarily entered into agreements relating to the property. Subsequently, for the purpose of obtaining NOC and regularising the title documents, further agreements were executed involving the legal heirs of the original owner. Such agreements were entered into openly and with the knowledge and consent of all concerned parties. Therefore, the allegation that the petitioners fabricated documents or acted dishonestly is wholly false and unsustainable. The defacto complainant was also put in possession of a portion of the property and continues to enjoy the same. This itself demonstrates that the transaction was genuine and was never concealed from him. The dispute subsequently arose due to delay in obtaining NOC and completion of the proposed transaction. Separate property transactions involving another property situated at Arakkonam also took place between the parties and their family members. Due to disputes arising out of such transactions, misunderstandings developed between the parties. The complaint has been lodged only after the relationship between the parties became strained. The allegations of forgery and cheating are an afterthought intended to convert a purely civil dispute into a criminal case so as to exert pressure upon the petitioners. Hence, prays for anticipatory bail.

3. On the other hand, the learned CPP submits that the petitioners offered to sell a property, which is not owned by them and received a sum of Rs.8,50,000/- from the defato complainant. The accused have also got the sale deed registered to the property owned by the defacto complainant and his sister situate at Arakkonam. Hence, the complaint.

4. The allegation against the petitioners is that the petitioners and another induced the defacto complainant to part with a sum of Rs.8,50,000/- on the false promise of selling the property, which is not owned by them. The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case. It is only due to mistaken of identify of the property. The petitioners are volunteer to deposit 50% of the amount already advanced to show their bonafide without prejudiced to their defence. Considering the said position, this court is inclined to grant anticipatory bail on condition to deposit 50% of Rs.8,50,000/-

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of this order, before the X Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that

[a] the petitioners 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 petitioners shall deposit Rs.4,25,000/- (Rupees Four Twenty Five Thousand only) before the learned X Metropolitan Magistrate, Chennai to the Credit of Crime No.200/2026.

[c] the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

[g] If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

Dictated to Steno-typist, typed by him directly, corrected and pronounced by me in open court this the 25th day of June, 2026.

Principal Sessions Judge

Copies to:

1. The X Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, P-6, Kodungaiyur Police Station, Chennai.

ss