

TNMD010005462026 TNMD010024812026



In the Court of the Principal Sessions Judge, Madurai.

Present : THIRU. M.SAISARAVANAN., M.L.,

Principal Sessions Judge, Madurai.

Tuesday, this the 23<sup>rd</sup> day of June, 2026.

Crl.M.P.No.386/2026 & 1491/2026.

CNR No.TNMD010005462026 TNMD010024812026

Muthukaruppan @ Katturaja, S/o.Sonai

... Petitioner/Accused  
in Crl.M.P.No.386/2026.

K.Chellaiah, S/o.Karuppan

... Petitioner/Accused  
in Crl.M.P.No.1491/2026.

Vs

State through the Inspector of Police,  
Tallakulam P.S. in Cr.No.18/2026

... Respondent/Complainant  
in both e-petitions.

These e-petitions coming on today for hearing before me in the presence of Thiru.C.Rajapandi, Advocate for the petitioner in Crl.M.P.No.386/2026, Thiru.A.Ganesan, Advocate for the petitioner in Crl.M.P.No.1491/2026, and of Public Prosecutor for the State, this court passed the following:

**Common Order**

1. Anticipatory Bail applications u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both.

3. The learned counsel for the petitioner/A2 in Cr.M.P.No.386/2026 and the petitioner/A1 in Cr.M.P.No.1491/2026 submitted that the respondent police has registered a case against the petitioners in Cr.No.18/2026 for the offence u/s. 420 of IPC. F.I.R. was registered based on the complaint forwarded by the concerned Judicial Magistrate U/s. 156(3) of Cr.P.C. The petitioners are innocent and they have not committed any offences as alleged by the prosecution. The petitioners have entered into an agreement with the defacto-complainant, to enforce the sale agreement entered with one K. Subramanian. Since the petitioners have not sufficient fund, they have included the defacto-complainant as 3<sup>rd</sup> party, to purchase the property belongs to the above said K. Subramanian. For which, they have

received a sum of Rs.3 Lacs by cash and Rs.10 Lacs through cheque of SBI Bank. There was delay caused in getting the Not Traceable Certificate of the original documents, legal heir certificates, death certificate of the ancestors and revenue records. The amount received from the defacto-complainant was incurred in getting the above said documents. In the meantime, the defacto-complainant asked the petitioners to repay his amount. The petitioners have no dishonest intention. It is purely civil dispute. The defacto-complainant may file civil suit for specific performance. Investigation is almost over. No similar petition is filed or pending before any superior courts. The petitioners apprehend arrest at the hands of police. The petitioners are ready to abide by any conditions that would be imposed by this court and prayed to grant anticipatory bail to the petitioners.

4. Per contra, the learned Public Prosecutor submitted that totally there are 2 accused in this case, who are the petitioners herein. As per the case of the prosecution, the accused persons are land brokers. One K.Subramanian had 72 cents in Survey No.29/15A at Chinthamani village. The accused persons approached the defacto-complainant stating that the above said K.Subramanian had a property to the value of Rs.1 Crore, but, they can made arrangements to purchase the above said property for a sum of Rs.50 Lacs. Moreover, the accused persons stated that the above said property is in joint patta, to get separate patta and to register the documents, they have need Rs.13 lacs. Believing the words of the accused persons, the defacto-complainant has paid Rs.3 lacs by cash and Rs.10 lacs by cheque of SBI bank. Thereafter, the accused persons had not registered the property in the name of the defacto-complainant nor return back the amount. Hence, the complaint. Notice served to the accused persons u/s. 41(1) Cr.P.C. and they appeared before the respondent police for enquiry. At that time, they have admitted that they have received the above said amount from the defacto-complainant. Upon investigation it was revealed that Rs.10 lacs was credited in the account of the petitioner/A1 through the SBI bank cheque of the defacto-

complainant. Cheated amount is not yet recovered. Investigation is pending and strongly objected to grant anticipatory bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner is U/s. 420 of IPC. The matter was referred to mediation, but, report submitted that not settled. The learned counsel for the petitioners contended that the petitioners have executed an agreement, for the amount received by them, but, there was delay to execute the sale deed, it is purely civil dispute, without approaching the proper forum, the defacto-complainant lodged the present complaint. On the other hand, the learned Public Prosecutor raised strong objections stating that Rs.10 lacs was credited in the account of the petitioner/A1 through the SBI bank cheque of the defacto-complainant, cheated amount is not yet recovered and investigation is pending. As per F.I.R., the petitioners are alleged land brokers, they received a sum of Rs.13 Lacs from the defacto-complainant and promised that arranging a land for sale and failed to execute sale deed and also not paid the amount. Huge amount is stated to be involved in this case. Custodial interrogation of the petitioners is very much essential. Investigation is not yet completed. Considering all these aspects, the serious nature of offences, strong objections raised on the side of prosecution and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners at this stage, accordingly, the petitions are liable to be dismissed.

In the result, both petitions in Cr.M.P.No.386/2026 & 1491/2026 are dismissed.

Pronounced by me in the Open Court on the 23<sup>rd</sup> day of June, 2026.

Principal Sessions Judge,  
Madurai

**Copy to :** The J.M.No.2. Madurai.