



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 25-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 28011 of 2025**

L.Sadagopan S/o.Loganadhan,  
3/371,Perumal Kovil Street,  
Vasinampattu, Thirumankkupam,  
Tiruvallur-602108.

..Petitioner(s)

Vs

**The State represented by:**

The Inspector of Police,  
Mappedu Police Station,  
Thiruvallur.  
[Crime No.137 of 2025]

..Respondent(s)

**PRAYER:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of  
arrest by the Respondent Police in Crime No.137 of 2025, on the file of the  
Respondent Police, Chennai.

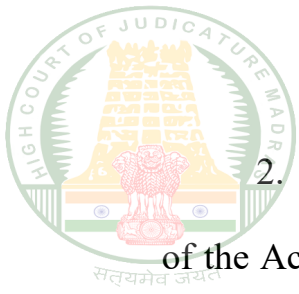
For Petitioner(s): Mr. P.Rajkumar Pandian

For Intervenor: Mr. X. Selvam Sounder

For Respondent(s): Mr. N. Palanivel,  
Government Advocate (Criminal side)

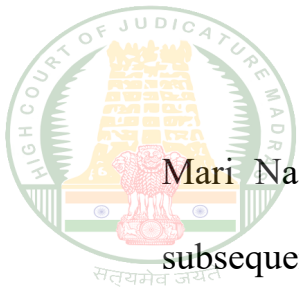
**ORDER**

The petitioner, who apprehends arrest for the alleged offences under  
Sections 420, 406 and 506(i) of IPC in Crime No.137 of 2025, on the file of the  
respondent police, seeks anticipatory bail.



2. The *case of the prosecution* is that the petitioner, being a Power Agent of the Accused Nos.2 and 3, sold a property measuring 0.89 cents comprised in Survey No.438/19 situated at Vasinampattu Village, Tiruvallur District to the defacto complainant, without a clear title for a sale consideration of Rs.35,60,000/- and subsequently, the defacto complainant was handed over possession of the property. While so, during the year 2018, one Mari Naidu had claimed the title and interest over the property by stating that he had purchased the said property by way of a registered Sale Deed vide Doc. No.1203 / 1981 dated 08.06.1981 from his vendors Radhakrishnan and Vijayakumar. When the defacto complainant checked regarding encumbrance, it came to know that the property belongs to the said Mari Naidu. Therefore, the defacto complainant questioned the accused with regard to the illegal Sale deed, but they gave evasive reply, thereby, the accused persons, in order to swindle money from the defacto complainant, created illegal Sale Deed and cheated the defacto complainant. Hence the case.

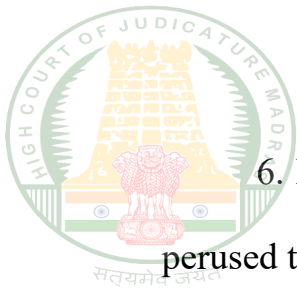
3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the commission of offence as alleged by the prosecution. The learned counsel would further submit that the defacto complainant gave complaint during the year 2025 by alleging that Sale deed was executed by the petitioner in favour of the defacto complainant on 28.02.2008. It is further submitted that originally the property belonged to one



Mari Naidu and that initially, though he took possession of the property, subsequently due to the water scarcity, no agricultural crop production was undertaken and now the said Mari Naidu is in the possession of the property and the encumbrance certificate also reflects that the said Mari Naidu is the owner of the property. The learned counsel would also submit that the petitioner is ready and willing to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The said contention was totally objected by the learned counsel appearing for the intervenor and he would contend that the property absolutely belongs to the defacto complainant and since because some entry is in the encumbrance certificate, it does not mean that the said Mari Naidu is the owner of the property. It is the further submission of the learned counsel that since 2008, the defacto complainant is in the possession and enjoyment of the property and all of a sudden, he cannot come and claim that his vendor does not have title and interest over the property. Hence, he objected to enlarge the petitioner on anticipatory bail.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and objected the anticipatory bail petition.

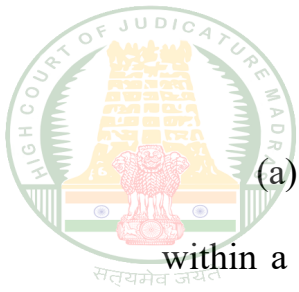


6. Heard the submissions made by the learned counsel on either side and perused the materials available on record.

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7. While looking into the factual position, it is an admitted fact that the defacto complainant has purchased the property in the year 2008, however, he filed a complaint only in the year 2025 on the ground that one Mari Naidu was the owner of the property, that too, such claim is based upon the entry in the encumbrance certificate. In such view of circumstances, though there is an issue to be resolved, the Civil Court is the appropriate Forum and hence, this Court is of the view that custodial interrogation of the petitioner is not required and inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions:

8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of **fifteen (15) days** from the date on which the order copy is made ready, before the **learned II Judicial Magistrate, Tiruvallur** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:



(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

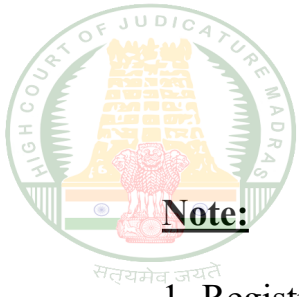
**(c) The petitioner shall appear before the respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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**Note:**

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The II Judicial Magistrate, Tiruvallur.
2. The Inspector of Police, Mappedu Police Station, Thiruvallur.
3. The Public Prosecutor, High Court of Madras.



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**C.KUMARAPPAN, J.**

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