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Crl.OP.No.23586 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

**Crl.OP.No.23586 of 2023**

Ramaiah S/o. Vengaiah

... Petitioner/Accused 1

Vs.

State by  
The Inspector of Police,  
Central Crime Branch,  
Avadi Police Station Team-II,  
Tiruvallur District.  
(Crime No.47 of 2023)

...Respondent

**Prayer:** Criminal Original Petition filed under Section 439 of Cr.P.C.  
praying to enlarge the Petitioner/Accused 1 on bail concerned in Crime  
No.47 of 2023 pending on the file of the respondent police.

|                |                                                         |
|----------------|---------------------------------------------------------|
| For Petitioner | : Mr.K.Nagarajan                                        |
| For Respondent | : Mr.R.Kishore Kumar<br>Government Advocate (Crl. Side) |
| For Intervenor | : Mr.P.Raja                                             |



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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 20.09.2023 for the offences punishable under Sections 419, 420, 465, 467, 471 r/w 506(ii) of IPC, in Crime No.47 of 2023 on the file of the respondent police, seeks bail.

2. It is a complicated case where the petitioner is alleged to have impersonated as Power of Attorney and thereafter, transactions have been done over the property. It is a vacant land. With respect to the said property a civil suit was filed and subsequently, Second Appeal was filed and the same is also pending in S.A.No.631 of 2021.

3. In so far as the petitioner is concerned, the learned counsel for the petitioner states that the petitioner would deposit title deeds of property worth about Rs.60,00,000/- to Rs.80,00,000/-.



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4. The learned counsel for the petitioner herein/A1 very specifically stated that the petitioner has never disturbed the possession of the defacto complainant and will also not disturb the possession of the defacto complainant.

5. The said statement made during the course of bail is recorded.

6. Taking into consideration the facts and circumstances and also submission made by the learned counsel for the petitioner, I am inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, **the petitioner shall deposit original title deeds of immovable property worth about Rs.60,00,000/- to Rs.80,00,000/- either stands in the name of the petitioner, his relatives or his friends to the credit of Crime No.47 of 2023 before the concerned Magistrate**, and on such deposit, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate-I, Poonamallee, and on further conditions that:

[a] 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.**

**[c] Let the Judicial Magistrate, -I, Poonamallee, shall test the value of the property and verify the encumbrance of the property and returned the title deeds after completion of the trial.**

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial



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Court himself as laid down by the Hon'ble Supreme Court  
in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR  
can be registered under Section 229A IPC.

19.10.2023  
(1/2)

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To

- 1.The Judicial Magistrate-I, Poonamallee.
- 2.Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,  
Central Crime Branch, Avadi Police Station Team II,  
Thiruvallur District.
- 4.The Public Prosecutor,  
High Court of Madras.



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**C.V.KARTHIKEYAN. J.**

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