



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

Crl.O.P.No.26600 of 2023

Prakash

... Petitioner/A5

Vs.

The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
Central Crime Branch – I,  
Team 15, Land Fraud Investigation Wing – I,  
Chennai.

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.45 of 2023 on the file  
of the respondent police.

For Petitioner : Mr.S.Manikandan

For Respondent : Mr.R.Kishore Kumar,  
Govt. Advocate (Criminal Side)



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## **ORDER**

The petitioner/A5 who was arrested and remanded to judicial custody on 04.09.2023 for the offences punishable under Sections 409, 465, 468, 471, 420 of IPC in Crime No.45 of 2023 on the file of the respondent, seeks bail.

2.It is the case of the prosecution that the defacto complainant had given a representation to cancel the General Power of Attorney registered as Document No.2924 of 2019 before the District Registrar, Chennai Central. The said official conducted an enquiry and found that an existing entry in the Encumbrance Certificate had been removed and it is stated that A1 and A2 were responsible for it. They had been granted the relief of bail. The petitioner, who is the land broker had shown the property to the prospective customers.

3..Taking into consideration the period of incarceration suffered by the petitioner and the fact that the other accused had been granted bail, this Court is inclined to grant bail the petitioner.



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4. Accordingly, the petitioner is ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Metropolitan Magistrate, For Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai) and CBCID Metro cases, Egmore Chennai 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 appear before the respondent daily at 10.30 a.m., until further orders.

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

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

[e] 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 Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

smv

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

**24.11.2023**

smv

To

1. The Metropolitan Magistrate, For Exclusive Trial of CCB Cases  
(Relating to Cheating Cases in Chennai) and CBCID Metro cases,  
Egmore Chennai
2. The Inspector of Police,  
Central Crime Branch – I,  
Team 15, Land Fraud Investigation Wing – I,  
Chennai..
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.26600 of 2023**