



WEB COPY

Crl.O.P.Nos.1403 and 1404 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

**THE HONOURABLE MR JUSTICE K. RAJASEKAR**

**CRL OP NOS.1403 and 1404 of 2025**

- |                |                                               |
|----------------|-----------------------------------------------|
| 1. S. Baskaran | ... Petitioner in Crl.O.P.No.1403 of 2025/ A2 |
| 2. P. Selvaraj | ... Petitioner in Crl.O.P.No.1404 of 2025/ A1 |

Vs

The State rep. by,  
The Inspector of Police,  
CCB,  
Coimbatore City.  
(Crime No.81 of 2024)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in  
the event of arrest by the respondent in Crime No.81 of 2024 on the file of  
the respondent police.

For Petitioners : Mr. M. Marudhachalam

For Respondent(s) : Mr. S. Udayakumar  
Government Advocate (Crl. Side)

\*\*\*\*\*



## **ORDER**

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 465, 467, 468 and 471 of IPC in Crime No.81 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that originally the property situated at Kurichi Village, Coimbatore Taluk was owned by defacto complainant's brother namely Vijayaraghavan; that since the said Vijayaraghavan died on 13.09.2002 due to his medical conditions and since he was unmarried and has no legal heirs, the defacto complainant maintained the said property; that in order to carry out some repair works in that property, the defacto complainant approached one Kandamay for a hand loan of Rs.5,00,000/-, for which he had introduced one Senthilkumar/ A3, who in turn obtained the original document of the property, two blank cheques and transferred a sum of Rs.2,00,000/- (Rs.1,00,000/- each on 03.11.2023 and 09.11.2023) and for the balance amount, A3 along with A4 insisted the defacto complainant to execute a Power of Attorney deed in favour of A1 as a security for the said hand loan; that thereby, the accused persons obtained



signature of the defacto complainant in the Power of Attorney Document

on 20.11.2023, without disclosing the contents of the document and transferred a sum of Rs.2,00,000/-; that when the defacto complainant asked A1 to hand over the balance sum of Rs.1,00,000/-, A1 stated that the petitioner herein is willing to purchase the said property and they agreed fixed sale consideration as Rs.2,70,00,000/- and thereby the petitioner handed over Rs.1,00,000/- to the defacto complainant as advance; that thereafter, A1 given a cheque belonging to the petitioner herein for a sum of Rs.52,00,000/- and told the defacto complainant not to present the cheque for collection without his consent; that while so, some third parties entered into the property and started cleaning and when the same was enquired with the Sub-Registrar, it is found that the petitioner along with other accused conspired together in order to grab the property created discrepancies over the property. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence; that the petitioner/ S.Baskaran purchased the property from the petitioner/ P.Selvaraj, who is the power agent of the defacto complainant based on the Power of Attorney



deed executed by the defacto complainant on 20.11.2023; that since A1 was the power agent of the defacto complainant and he has only discharged his duty pursuant to the Power of Attorney executed by the defacto complainant; that the allegation are purely civil in nature, the defacto complainant is trying to give criminal colour to the civil transactions. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that there are totally 5 accused involved in this case and the petitioners herein are arrayed as A2 and A1; that the petitioners herein conspired with other accused in order to grab the property of the defacto complainant, obtained Power of Attorney deed in favour of A1 from the defacto complainant without disclosing the contents of the said deed and making him to believe the same is executed for the purpose of security for the hand loan amount received by the defacto complainant; that thereafter, A1 sold the property to A2; and that the



investigation is pending.

WEB COPY

5. I have considered the submission made on both sides and perused the materials available on record.

6. Considering the facts and circumstances of this case, nature of allegation and taking note of the fact that for the very same property, Power of attorney deed was executed on 20.11.2023 by the defacto complainant in favour of A1, later sale deed was executed in favour of A2 by A1 on 24.06.2024, subsequently settlement deed was executed in favour of one Mageshwari by A2 on 16.07.2024 and since all the transactions are borne out by records, custodial interrogation of the petitioners is not necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the **learned Judicial Magistrate No.VII, Coimbatore** on condition that the petitioners



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

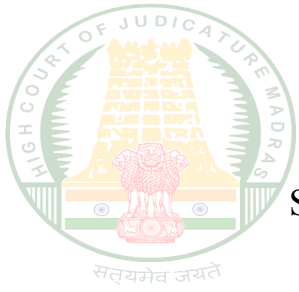
learned Magistrate concerned and on further condition that:

**[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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 the identity proofs to ensure their identity;

**[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13**



SCC 283];

WEB COPY

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

**07.10.2025**

stn

To

1. The Judicial Magistrate No.VII,  
Coimbatore.
2. The Inspector of Police,  
CCB,  
Coimbatore City.  
(Crime No.81 of 2024)
3. The Public Prosecutor,  
High Court of Madras.



WEB COPY



*Crl.O.P.Nos.1403 and 1404 of 2025*

**K. RAJASEKAR, J.**

stn

**Crl.O.P. Nos.1403 and 1404 of 2025**

**07.10.2025**