



CrI.O.P.No.2386 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2386 of 2025

Prabakaran

Petitioner(s)

Vs

State rep. By
Inspector of Police
District Crime Branch-I,
Chengalpattu.
(Crime No. 7 of 2024)

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 7 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Sankar

For Respondent : Mr.Leonard Arul Joseph Selvam,
Govt. Advocate (Crl. Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 463, 464, 465, 467, 468 and 420 of I.P.C. in Crime No.7 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the defacto complainant was the owner of property measuring an extent of 9600 sq.ft. in Plot Nos.5,6,24 and 25 situated at Tamim Nagar Layout, Tiruporur Taluk; that A1 impersonated as defacto complainant and executed a power of attorney in favour of A2; that on the strength of the said power, A2 executed sale deed in favour of A3 in respect of Plot No.5; that A2 executed a sale deed in favour of A4 in respect of Plot Nos.6, 24 vide sale deeds dated 03.09.2020 and 14.07.2020 respectively. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner/A4 is an innocent purchaser and on coming to know about the alleged transaction, he has executed cancellation of document No.8489 of 2020 by cancellation deed vide document No. 10292/2020 and submitted that in any



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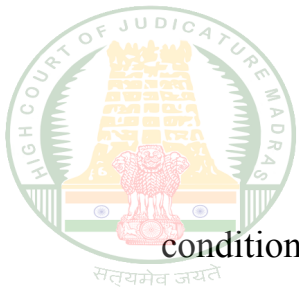
case, his custodial interrogation is not required. Hence, he prayed for the grant

of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the facts and submitted that the petitioner had cancelled the sale deed on coming to know about the facts. Hence, he prayed to dismiss this petition.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6. Considering the aforesaid facts, the nature of allegation; that the petitioner had cancelled the sale deed on coming to know about the facts and in any case, his custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate-II, Chengalpattu** on condition that the petitioner shall execute a 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further



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condition that:

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[a] the petitioner and 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 as and when required;

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

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

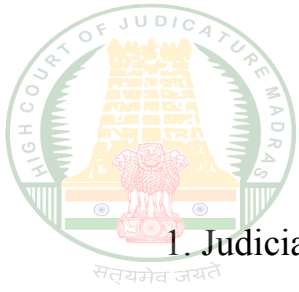
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

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

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To



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1. Judicial Magistrate-II, Chengalpattu.

2. The Inspector Of Police, District Crime Branch-I, Chengalpattu.

3. The Public Prosecutor, High Court, Madras.

SUNDER MOHAN, J.



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