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CRL O.P. No.2667 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2667 of 2025

Balamurugan S/o. Jagadeesan

... Petitioner / Accused-7

Vs

State rep. by:-

The Inspector Of Police,
Central Crime Branch-1,
(Land Grabbing Wing), Vepery,
Chennai-600 007.

... Respondent

[Cr. No.100 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.100 of 2024 on the file of the respondent police.

For Petitioner : Mr. M. Dinesh

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER



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The petitioner / Accused-7, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 419, 420, 465, 467, 468, 471 read with 120-B and 34 of IPC in connection with the case in Crime No.100 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the disputed property belonged to Pachaiyappa Trust, was settled in the year 1955 in their favour; that the 2nd accused Indrani had impersonated the original owner of the property Rajathiammal and executed a Settlement Deed in her favour; that thereafter, she settled the property in favour of her husband A3, who in turn executed the Power of Attorney deed in favour of A6, one P.V. Subramani; that based on the said Power of Attorney, the said P.V. Subramani/A6 entered into a Sale Agreement with A7, who had paid a sum of Rs.5 lakhs as advance.

3. Learned counsel for the petitioner would contend that the petitioner is a Lawyer; that he is no way connected with the alleged offences committed by the other accused; that he himself a victim and



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paid Rs.5 lakhs towards advance and in any case, custodial interrogation of the petitioner is not required for the purpose of investigation in this case and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), per contra, would submit that if the petitioner is really aggrieved and a victim, he ought to have cancelled the sale agreement; that the case is pending investigation.

5. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner would not claim any right pursuant to the sale agreement and also undertakes to file an affidavit to that effect before the trial Court.

6. 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.



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7. Considering the facts and circumstances of the case, nature of allegations, that the petitioner himself claims to be a victim in this case and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

8. Accordingly, the petitioner 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 **Metropolitan Magistrate for exclusive trial of CCB Cases(relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai** 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:



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[a] the petitioner shall file an affidavit before the learned Magistrate concerned stating that he would not claim any right pursuant to the Sale Agreement entered between himself and one P.V. Subramani.

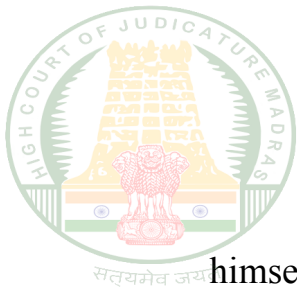
[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

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

[e] the petitioner shall not abscond 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 Court



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

04.02.2025

mjs

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 Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police, Central Crime Branch-1, (Land Grabbing Wing), Vepery, Chennai-600 007.

SUNDER MOHAN. J.,

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