



CRL O.P. No.2996 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 10.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2996 of 2025

D.Anandaraj

... Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Avadi-CCB,
Thiruvallur District.
[Crime No.11 of 2025]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused-1 in Crime No.11 of 2025 on the file of the respondent police.

For Petitioner : Mr. S.Sathish Kumar

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

For Intervenor : Mr.M.Senthil Kumar



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ORDER

The petitioner / Accused-1, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471, 420 and 120(B) of Indian Penal Code, in connection with the case in Crime No.11 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had obtained a power of attorney on 24.06.1992 in respect of the land measuring 1 Acre 5 cents by Document No.310 of 1992. Though the said power of attorney was cancelled, he executed a sale deed in favour of one Mallika on 01.09.1992 and the said Mallika had executed a power of attorney in favour of one Elizebeth Sindhiya and Elizebeth Sindhiya on the strength of power of attorney executed a sale deed to the defacto complainant.

3. Learned counsel for the petitioner would contend that the transactions took place in the year 1992 and that the petitioner was not aware of the cancellation of the power of attorney and that in any case, the custodial interrogation of the petitioner is not required and hence prayed to grant



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anticipatory bail to the petitioner.

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4. Learned counsel for the intervenor/defacto complainant however submitted that, the petitioner was knowing fully well that the power of attorney was cancelled has executed the sale deed and defacto complainant is an innocent purchaser and has suffered a huge loss of money and vehemently opposed for the grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) filed a counter and reiterated the prosecution case and confirmed the fact that the alleged transactions forms part of the offence took place in the year 1992.

6. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) for the respondent police, the learned counsel for the intervenor/defacto complainant and perused the materials available on record.

7. Considering the nature of allegations and the fact that the sale deed which was executed in the year 1992 is sought to be challenged now, and the



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fact that the case is borne out by records and 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 with a liberty to the defacto complainant to pursue other remedies available in law and on the following conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Poonamallee**, 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:

[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



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their Aadhar card or Bank pass Book to ensure their identity.

WEB COPY [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 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.

10.02.2025

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SUNDER MOHAN. J.,

dsn

To

- 1.The Judicial Magistrate-I, Poonamallee.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Avadi - CCB, Thiruvallur District.

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