



Crl.O.P.No.3387 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 19.02.2025

PRONOUNCED ON : 21.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3387 of 2025

Ganesan @ Rama Ganesan

... Petitioner/A4

Vs.

The State represented by,

Inspector of Police,

CCB I, Land Fraud Investigation Wing-2,

Vepery, Chennai – 600 007.

(Cr.No.182 of 2024).

... Respondent/Complainant

Arjun Krishna Kondamani

... Intervenor / Victim

[Permitted to intervene vide order of this Court [SMJ] dated 21.02.2025 made in Crl.M.P.No.2665 of 2025 in Crl.OP.No.3387 of 2025]

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the case in Cr.No.182 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.I.Ramanathan

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

For Intervenor : Mr.J.Balachander



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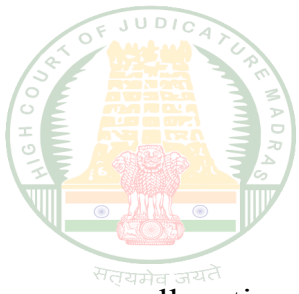
for Mr.S.Santhosh Kumar

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.12.2024, seeking bail in connection with the case in Cr.No.182 of 2024, on the file of the responden police, registered for the offence under Sections 420, 465, 467, 468 and 471 of IPC.

2. The sum and substance of the prosecution case is that the petitioner along with the other accused had created two documents bearing Regn.Nos.1141 of 1974 dated 30.10.1974 on the file of Sub Registrar's Office, Joint-II, Saidapet Sub Registrar and 389 of 1987 dated 20.02.1987, on the file of the Sub Registrar's Office, Guduvancherry; that in the document dated 30.10.1974, it was made to appear that the defacto complainant's predecessor-in-title had executed a document in favour of one Muthusamy; that the said Muthusamy executed a document in favour of one Muthlingam in the year 1987; and that those two documents were created subsequently.

3. Learned counsel appearing for the petitioner would submit that the



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allegations are false and the defacto complainant has lodged a complaint without verifying the records and ignoring that the documents that are stated as bogus were in fact registered documents and that in any case, the case is borne out by records; the co-accused have been released on bail and hence, further custody of the petitioner is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the bail petition, reiterated the prosecution case and confirmed the fact that the co-accused have been granted bail either by the Sessions Court or by this Court; and that the petitioner has four previous cases and is on bail in all those cases.

5. The learned counsel for the defacto complainant vehemently opposed the grant of bail and submitted that considering the nature of allegations against the petitioner, the bail ought not to be granted.

6. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and the



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learned counsel appearing for the Intervenor/Victim and perused the materials available on record.

7. Admittedly, the co-accused one Muthulingam/A1 was granted bail by this Court in Crl.OP No.69 of 2025 dated 21.01.2025 and another co-accused one Devendran/A2 was granted bail by the learned Principal Sessions Judge on 04.02.2025 in Crl.M.P.No.797 of 2025. The petitioner is on bail in all the other previous cases.

8. Considering the aforesaid facts, the period of incarceration, the allegation is borne out by records and since, further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Metropolitan Magistrate, Special Court for CCB and CBCID Cases at Egmore** and on further conditions that:

[a] the sureties shall affix their photographs and Left



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

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

21.02.2025

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SUNDER MOHAN., J.

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To

1. The Metropolitan Magistrate, Special Court for CCB and CBCID Cases,
Egmore, Chennai.
2. The Inspector of Police,
CCB I, Land Fraud Investigation Wing-2,
Vepery, Chennai – 600 007.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Pre-delivery order
Crl.O.P.No.3387 of 2025

21.02.2025