



Crl.O.P.No.3459 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 3459 of 2025

Jayachandran

Petitioner(s)

Vs

The State Represented by,
The Sub-Inspector Of Police,
Central Crime Branch,
Salem City,
(Crime No.32 of 2024)

Respondent(s)

For Petitioner(s): Mr.Veera Narayanan

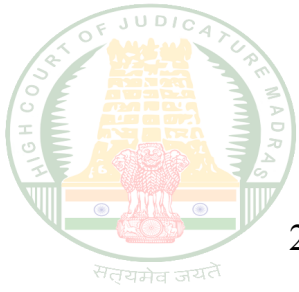
For Respondent(s): Mr.S.Santhosh,
Government Advocate (Criminal Side)

For Intervener : Mr.C.Rajakumar

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent in Crime No.32 of 2024 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 468, 471, 420, 120-B of IPC and Section 82(d) of the Registration Act, 1908 in Crime No.32 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant, who is the Managing Trustee of Arulmigu Anjaneya Swamy Temple, Salem, lodged a complaint stating that his step brother A2, in collusion with other accused, by means of fabrication of documents, sold the property, which belonged to the temple and thus committed the aforesaid offences. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the dispute is between the petitioner and his step brother, the defacto complainant herein; that the allegations are borne out by records; and that the co-accused/A3 and A4 to whom the petitioner transferred the said property were granted anticipatory bail; that the petitioner undertakes not alienate the property and that he would not interfere in the possession of the defacto complainant; that the petitioner has filed an undertaking affidavit to that effect; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

4. The learned counsel for the defacto complainant vehemently opposed for the grant of anticipatory bail and submitted that the petitioner has



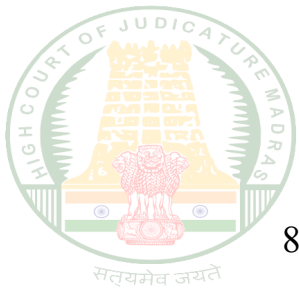
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committed land grabbing with respect to the property belonging to the defacto
WEB complainant.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted the investigation is still pending.

6. Heard the learned counsel for the petitioner, the learned counsel for the intervener and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

7. Admittedly, the accused 3 and 4 were granted anticipatory bail in Crl.OP.Nos.27812 & 27857 of 2024, on filing an undertaking affidavit that they would not alienate the property. It is also seen that they have deposited the sale deed in Crime No.32 of 2024 before the concerned Magistrate. The first accused was granted anticipatory bail by this Court on 20.03.2025 in Crl.OP.No.665 of 2025.



8. Considering the nature of allegations, the fact that the allegations are borne out by records, the affidavit filed by the petitioner which is taken on record and since, 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 certain conditions.

9. 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 on which the order copy made ready, before the learned **Judicial Magistrate No.II, Salem** on condition that the petitioner shall execute a separate 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 condition 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 their Aadhar card or Bank pass Book to ensure their identity.



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

[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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

drl

03-04-2025

To

1. The Sub-Inspector Of Police,
Central Crime Branch,
Salem City,

2. The Judicial Magistrate No.II,
Salem.



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SUNDER MOHAN J.

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