



Crl. O.P. No.4854 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4854 of 2025

Anandaraj ... Petitioner/Accused rank not known

Vs.

The State represented by-

The Inspector of Police,
Tambaram CCB.

(Crime No.03 of 2025). ... Respondent / Complainant

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.03 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Milton Pon Davidson

For Respondent : Mr. S.Santhosh

Government Advocate (Crl.Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 319(2), 318(4), 336(2), 336(4), 338, 240(2) and 61(2) of BNS, 2023 in connection with the case in Crime No.03 of 2025, seeks anticipatory bail.



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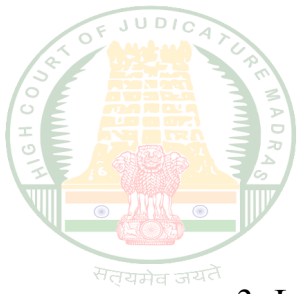
2. It is the case of the prosecution that one Mr.V.V.Subramaniam, was the original owner of the property measuring 5500 sq.ft in plot Nos.188 and 189 in Sri Balaji Nagar Layout, Madipakkam; that the said Mr.V.V.Subramaniam, had sold the property to the de-facto complainant's parents by a Sale Deed bearing Document.No.1202 of 1968, dated: 25.06.1968; that taking advantage of the absence of de-facto complainant, certain persons had impersonated the said Mr.V.V.Subramaniam and executed a Sale Deed in favour of one Chellamal and made it appear that it was executed in the year 1964; that thereafter, Mrs.Chellamal executed a Settlement Deed in favour of one Mrs.Ranjitham; that Mrs.Ranjitham executed a Power of Attorney in favour of the petitioner; that based on the Power of Attorney, a Sale Deed was executed in favour of one Mr.Mohammed Younus, claiming that the total extent of the property is 5600 sq.ft; that the Mr.Mohammed Younus, executed a Power of Attorney in favour of Mr.Suresh and Mr.Suresh based on the power had executed a Sale Deed in respect of plot No.188 in favour of one G.Swaminathan/A6. Similarly, based on a power given to Mr.Nagore Gani by the said Mr.Mohammed Younus, plot No.189 was sold to the other accused. Hence, the case.



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3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he had sold the property only based on the registered sale deed in favour of the previous owner of the property, who had executed a registered General Power of Attorney bearing Doc.No.5141 of 2021 dated 20.08.2021; that A6 and A10, who were similarly placed have been granted bail vide orders of this Court dated 05.02.2025 and 20.02.2025 in Crl.O.P.Nos.1901 of 2025 and 4418 of 2025, respectively; and that the custodial interrogation is not required in this case and hence prayed for grant of anticipatory bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the anticipatory bail petition, reiterated the prosecution case and confirmed the fact that A6 and A10, have been granted bail by this Court and the petitioner has no previous case.

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

6. Taking into consideration the facts and circumstances of the case and the



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nature of allegations, that the co-accused in this case have been granted bail vide orders of this Court dated 05.02.2025 and 20.02.2025 in Crl.O.P.Nos.1901 of 2025 and 4418 of 2025, respectively, this Court is of the view that custodial interrogation is not required for the purpose of investigation, and is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate No.1, Tambaram**, 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 condition that:

- [a] 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, everyday at 10.30 a.m., until further orders;
- [c] the petitioner shall not abscond either during investigation



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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*** reported in [(2005)AIR SCW 5560];

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

24.02.2025

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To

1. The Judicial Magistrate No.1, Tambaram.
2. The Inspector of Police, Tambaram CCB.
3. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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