



Crl.OP.No.6447 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6447 of 2025

Ramanathan

.. Petitioner/A3

Vs.

The State rep by
The Inspector of Police,
Crime Branch,
Nannilam Police Station,
Thiruvarur District.
(Crime No.1285 of 2020)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.1285 of 2020 on the file of the respondent Police.

For Petitioner : Mr.Muthamizh Selvakumar P

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 418, 406, 420, 465 and 468 of IPC in Crime No.1285 of 2020, seeks anticipatory bail.

2. It is the case of the prosecution that the defacto complainant had



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lent a sum of Rs.16 lakhs to the 2nd accused; that since the 2nd accused could not repay the loan, the 1st accused, who is the friend of 2nd accused had executed a sale deed in respect of a property belonging to him; that later, the defacto complainant came to know that there is a EB line post erected in the land and the land is not usable; and thus, accused 1 and 2 had cheated the defacto complainant; and that the petitioner/3rd accused, is the father of the 2nd accused. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false and considering the fact that the alleged transaction took place in the year 2019, custodial interrogation of the petitioner is not required and prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the loan was granted by the defacto complainant to the 2nd accused in the year 2014 and the sale deed was executed by the 1st accused in the year 2019. The dispute is with regard to usage of the land, which was sold to the defacto complainant.



WEB COPY 5. Considering the aforesaid facts, the nature of allegations, the role played by the petitioner and the fact that the transaction took place in the year 2019, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. 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 is made ready, before the **learned District Munsif cum Judicial Magistrate, Nannilam**, 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 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



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ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[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.

12.03.2025

Index : Yes / No
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To

1.The Inspector of Police,
Crime Branch,
Nannilam Police Station,
Thiruvarur District.

2.The District Munsif cum Judicial Magistrate,
Nannilam.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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