



Crl. O.P. No.6919 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6919 of 2025

S. Senthil Kumar S/o. Selvaraj

... Petitioner/Accused-4

Vs.

The State represented by-

The Inspector of Police,
Alpha-3,
Bank Fraud Investigation Wing,
CCB-I Police Station,
Chennai District.
(Crime No.240 of 2024).

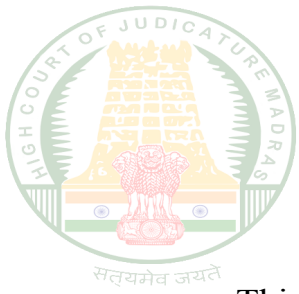
... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.240 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. P. Tamilavel

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

ORDER



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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.02.2025, seeking bail in Crime No.240 of 2024 registered for the offence under Sections 120-B, 420, 465, 467, 468 and 471 of IPC.

2. The case of the prosecution is that the petitioner is arrayed as A4; that A2 and A3, claiming to be the daughters of one K. Duraiammal, had impersonated as daughters of said K. Duraiammal and executed a Power of Attorney in favour of the petitioner; that the petitioner, on the strength of Power of Attorney, had executed Sale Deed in favour of A1; that A1 had, thereafter, mortgaged the property in the bank, namely the defacto complainant and was irregular in payment and hence the account was declared as 'Non-performing Asset'; and then the defacto complainant came to know about the alleged impersonation and forgery committed by the accused.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the petitioner has nothing to do with the alleged impersonation and he was made to sign as per the Power of Attorney; that in any case, considering the period of incarceration of the



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petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the main accused A5, who had created the forged documents, is detained under Goondas Act and A6 is absconding; that the petitioner has received a sum of Rs.1 lakh, to act as a Power Agent and executed sale deed.

5. Considering the aforesaid facts, nature of allegations against the petitioner and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence this Court is inclined to grant bail to the petitioner with certain conditions.

6 . 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 **Additional CCB Court, Egmore, Chennai.**

[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, twice a week ie., on Monday and Thursday 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.

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1. The Additional CCB Court, Egmore, Chennai.
2. The Inspector of Police, Alpha-3, Bank Fraud Investigation Wing, CCB-I Police Station, Chennai District.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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