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Crl.OP.No.6952 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.6952 of 2025

1. Sathishkumar

2. Duraisingh

... Petitioners /Accused

Vs.

State Rep by

The Inspector of Police,

CCB – I,

Chennai.

Crime No.11/2025

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.11 of 2025 on the file of the respondent police.

For petitioner : Mr.V.Prakash, Senior Counsel
for K.Rahul

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of IPC in Crime No.11 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's grandmother inherited a property belonging to one Muniyammal; that the first accused had obtained a sale deed by impersonating the said Muniyammal on 17.08.1964; that the first accused had executed a settlement deed in favour of his son/ second accused and thereafter, the second accused executed a power of attorney in favour of the petitioner/ third accused and thus, committed the aforesaid offences.

3. Mr.V.Prakash, learned senior counsel appearing for the petitioners would submit that the defacto complainant's grandmother Avaranjiammal had not purchased any property from the said Muniyammal and in fact, she had purchased a property from one Gopalakrishnan; that the allegation that impersonation took place in the year 1964 is false; and that a civil case is pending between the parties in O.S.No.465 of 2024, on the file of the Principal District Court, Chengalpattu with regard to the same property, and



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custodial interrogation is not required and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioner.

5. Considering the nature of allegations and the fact that a civil suit is pending between the parties; that the alleged impersonation is said to have taken place in the year 1964; and that the case is borne out by records, this Court is of the view that custodial interrogation is not required for the purpose of investigation and therefore, is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are 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 **CCB Court, Egmore, Chennai**, on condition that the petitioner shall execute a



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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 petitioners 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.

[b] the petitioners shall report before the respondent police twice a week and thereafter as an when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions,



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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 petitioners 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**; and

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

11.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. The Inspector of Police, Central Crime Branch – I, Chennai.
2. The Public Prosecutor, Madras High Court, Chennai.



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3. Learned CCB Court, Egmore, Chennai.

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SUNDER MOHAN, J.

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