



Crl.OP.No.8712 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.8712 of 2025

Sarath Babu

... Petitioner(s) /Accused

Vs.

State represented by
Inspector of Police,
Kolathur Police Station,
Chennai.
Crime No.66 of 2021

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant an order of anticipatory bail directing the respondent to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.66 of 2021 dated 16.03.2021 on the file of the respondent.

For petitioner(s) : Mr.S.John Josh

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



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ORDER

This is the second anticipatory bail application filed by the petitioner before this Court.

2. The earlier bail application filed by the petitioner was dismissed as withdrawn before this Court on 25.02.2025.

3. The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 466, 467, 468, 471 and 120B of IPC in Crime No.66 of 2021, seeks anticipatory bail.

4. It is the case of the prosecution that the defacto complainant's father, Late A.V. Seshu, was the owner of a house site situated at Old Survey no.105/1, New Survey No.169/3, T.S.No.85, Block No.23, Kolathur Village, and after his death, one S.Sekar claiming to be the legal heir of the defacto complainant's father Late A.V.Seshu, executed a settlement deed on 28.03.2018 in favour of one Selvakumar, who in turn executed a sale deed in favour of Thenmozhi in the year 2019 and that the petitioner also was



involved in the commission of the aforesaid offences.

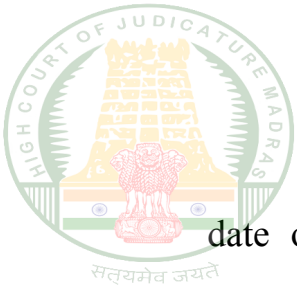
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5. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is a real estate agent; that he is not named in the FIR; and that in any case, custodial interrogation is not required and sought for bail to the petitioner.

6. 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.

7. Considering the aforesaid facts, the fact that the alleged bogus settlement deed was executed in the year 2018, the FIR was registered in the year 2021, the fact that the petitioner is not named in the FIR and since the allegations are borne out by records, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 **Judicial XIII**

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Metropolitan Magistrate, Egmore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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.

[b] the petitioner shall appear before the respondent police daily 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 petitioners 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



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laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

17.04.2025

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

To

1. Inspector of Police,
Kolathur Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. XIII Metropolitan Magistrate, Egmore.



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SUNDER MOHAN, J.

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