



Crl.O.P.No.7459 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7459 of 2025

S.Anandan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Central Crime Branch, Gama -5,
Land Fraud Investigation Wing -2,
Vepery, Chennai 600 007.
(Crime No.129 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.129 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Magimai Raj

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

For Intervenor : Mr.S.Nirmal Aditya

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.02.2025, seeking bail in Crime No.129 of 2024 registered for the offence under Sections 120(B), 34, 419, 420, 447, 465, 467, 468, 471 of IPC.



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2. The case of the prosecution is that the property is situated at S.No. 133/3B at Ernavoor Village; that the petitioner/ A1 had impersonated the defacto complainant and created general power of attorney in his favour vide Document No.2582 of 2017 at SRO, Thiruvettiyur; that on the strength of the said Power of Attorney, A1 had executed sale deed in favour of the A2; and that thereafter, A2 mortgaged the property in favour of the State Bank of India and transferred a sum of Rs.40 lakhs to A4 and A4 inturn transferred Rs.25 lakhs to A2. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that co-accused was granted bail by this Court and in any case, petitioner is in custody from 07.02.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Heard the Learned counsel for the defacto complainant and the Learned Government Advocate (Crl.Side).



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5. Considering, the fact that the co-accused was granted bail; period of incarceration; and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 **Metropolitan Magistrate for Exclusive Trial of CCB (Relating to the Cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai** and on further conditions 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;



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[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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To

1. Metropolitan Magistrate for Exclusive Trial of CCB (Relating to the Cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai.
- 2.The Inspector of Police,
Central Crime Branch, Gama -5,
Land Fraud Investigation Wing -2,
Vepery, Chennai 600 007.
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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