



Crl.O.P.No.10582 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10582 of 2025

Vairamuthu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCB, Avadi,
Thiruvallur District.
(Crime No.80 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.80 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Marees Kumar

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

For Intervenor : Mr.L.Infant Dinesh

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 12.03.2025, seeking bail in Crime No.80 of 2024 registered for the offence under Sections 419, 465, 467, 468, 471, 420 read with Section 120B of IPC & under Section 480 of BNS.



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2. The case of the prosecution is that the defacto complainant intended to purchase lands in Thirumullaivoyal Balaji Nagar S.No.476/2 and 483/1 totally measuring 10,800 sq.ft through one Surender and he identified two plots; that he introduced one Umaiya and Valliyammal being the owners of the said land; that they have executed a settlement deed in favour of her daughter Radhammal under Doc.No.1982/2016; and that by impersonating the signatures of the original owners and Radhammal, the power deed under Doc.No.2114/2016 was executed in favour of Surendran and that thereafter, another settlement deed under Doc.No.1983/2016 was executed in favour of the daughter of Umayal, who in turn executed a power deed under Doc.No.2113/2016; and that the petitioner who is the document writer had prepared all the forged documents and received Rs.20 lakhs and thereby cheated the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, that the co-accused were granted bail by the Lower Court; that the petitioner is in custody from 12.03.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.



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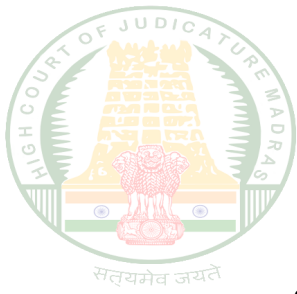
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4. Learned Government Advocate (Crl.Side) appearing for the respondent police confirmed the fact that the co-accused were granted bail by this Court.

5. Learned Counsel appearing for the defacto complainant vehemently opposed for grant of bail to the petitioner and submitted that the petitioner and other accused by creating forged documents, deceived the defacto complainant and cheated the defacto complainant and others to the tune of Rs.3,60,00,000/-.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Considering the nature of allegation; the period of incarceration; the fact that the co-accused were granted bail 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.



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8. 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 **Judicial Magistrate No.I, Poonamallee** 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;

[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]*;



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

15.04.2025

Sma

To

1. Judicial Magistrate No.I, Poonamallee
2. The Inspector of Police,
CCB, Avadi,
Thiruvallur District.
3. The Superintendent,
Central Prison II, Puzhal Jail.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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