



Crl.O.P.No.13951 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13951 of 2025

Sathish Kumar

... Petitioner

Vs.

State rep. by
The Inspector of Police
D-1 Tambaram Police Station
Tambaram
Crime No.157 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.157 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.P.Yuvaraj

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)



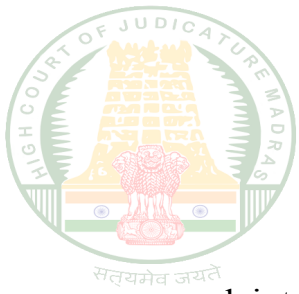
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ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 318(4), 336(2), 336(3) of the Bharatiya Nyaya Sanhita (BNS) 2023, (Section 420, 465 and 468 of Indian Penal Code), in Crime No.157 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant's son-in-law approached the petitioner to purchase a property to an extent of 2150 sq.ft. As per patta division No.384/38, Plot No.57, Haritha Enclave, No.106, Tambaram Village, which was advertised for sale. The petitioner, who is the sole accused had executed a fabricated power of attorney in his name to sell the property and received a sum of Rs.34,00,000/- towards sale consideration from the son-in-law of the de-facto complainant. When the de-facto complainant's son-in-law waited in the Registrar office for execution of the sale deed, the petitioner did not come forward to register any sale deed. On verification, the de-facto complainant came to know that the property belongs to some other person and not belonged to the petitioner and that the petitioner had forged the signature and created a power of attorney in his favour and thereby, cheated the de-facto complainant. Thereafter, the petitioner had returned only a sum of Rs.14,00,000/-, out of Rs.34,00,000/. However, the petitioner has failed to return the balance amount. Hence the



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complaint.

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3. The learned counsel appearing for the petitioner submits that on a bonafide belief only, the petitioner obtained a General Power of Attorney for the said property and since the petitioner worked as a mediator cum power agent, he took responsibility to settle the amount. He further submitted that the petitioner came to know about the dispute with the original title deed, only through the de-facto complainant's son-in-law and after that, the petitioner tried to contact the principal, but unable to trace him. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner is the sole accused in this case and so far, the petitioner has returned a sum of Rs.14,00,000/- out of sale consideration of Rs.34,00,000/- to the de-facto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.

G.K.ILANTHIRAIYAN, J.



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5. On perusal of records would reveal that the petitioner had forged the signature and created a power of attorney in his favour and thereby, cheated the de-facto complainant. Thereafter, the petitioner had returned only a sum of Rs.14,00,000/- out of sale consideration of Rs.34,00,000/- and he failed to return the balance amount. Therefore, the custodial interrogation of the petitioner is very much required in this case.

6. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

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To

1. The Inspector of Police
D-1 Tambaram Police Station
Tambaram
2. The Public Prosecutor,
High Court of Madras.

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