



WEB COPY



Crl.O.P.No.12328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.12328 of 2025

1.Venkatesan

2.Kumar

...Petitioners/Accused 5 & 6

Vs.

State rep by  
The Inspector of Police,  
Chinnasalem Police Station,  
Kallakurichi District.

(Crime No.144 of 2022)

...

Respondent

**PRAYER:** This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.144 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.V.Gunasekar

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



Crl.O.P.No.12328 of 2025

## **ORDER**

**WEB COPY** This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent police, seeking anticipatory bail in Crime No.144 of 2022 registered for the offences under Sections 423, 465, 467, 468, 420 and 406 of IPC.

2.The case of the prosecution is that the co-accused had created forged documents and transferred the properties in favour of the petitioners knowing fully well that it is belonged to the defacto complainant; that the petitioners are the subsequent purchasers who had purchased the property in the year 2024 from the co-accused and thus committed the aforesaid offences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent purchasers and they have nothing to do with the alleged creation of the forged documents; that they had purchased the property for a valid sale consideration and the allegations against the petitioners are borne out by records and that in any case, custodial



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

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that the petitioners are subsequent purchasers; and that the investigation has now been completed and final report is likely to be filed in the near future.

5. Considering the aforesaid facts and the fact that the allegations are borne out by records, this Court is of the view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of copy of this order, before the **learned Judicial Magistrate – I, Kallakurichi**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand



only) each 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 said Magistrate, on further condition 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 petitioners shall report before the respondent Police daily at 10.30 a.m until further orders;**

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

[d] the petitioners 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 petitioners 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 [(2005)AIR SCW 5560]***;



Crl.O.P.No.12328 of 2025

WEB COPY [f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.

24.04.2025

rkp

Copy to:

- 1.The Inspector of Police,  
Chinnasalem Police Station,  
Kallakurichi District.
- 2.The Judicial Magistrate – I, Kallakurichi.
- 3.The Public Prosecutor,  
High Court, Madras.



WEB COPY



Crl.O.P.No.12328 of 2025

**SUNDER MOHAN, J.**

rkp

**Crl.O.P.No.12328 of 2025**

**24.04.2025**