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CRL.OP.Nos. 13088 & 13715 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL.OP.Nos. 13088 & 13715 of 2025

1.Vivek Govindarajan
2.V.Pachamuthu

...Petitioner/A3
...Petitioner/A4

Versus

State of Tamil Nadu
Represented by
The Inspector of Police
District Crime Branch
Kancheepuram District
Crime No. 3 of 2025

....Respondent
[in both Crl.O.Ps]

Common Prayer: Criminal Original Petitions filed under Section 482 of BNSS, 2023, praying to grant anticipatory bail to the petitioners in the event of their arrest by the respondent police in Crime No. 3 of 2025 pending investigation on the file of the respondent police.

Crl.O.P.No. 13088 of 2025:

For Petitioner : Ms.N.Devi
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

Crl.O.P.No. 13715 of 2025:

For Petitioner : Mr.K.Chandrasekaran
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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COMMON ORDER

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The petitioners/A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 319, 336, 338, 340, 318 and 3(5) of the BNS, 2023 in Crime No.3 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant had purchased a land comprised in Survey Nos.212/3 measuring to an extent of 0.21 cents and Survey No.212/3B measuring to an extent of 0.18 cents and Survey No.212/5 measuring to an extent of 0.44 cents viz., measuring a total extent of 0.83 cents at Eluppapattu Village, Kancheepuram District, from one Pradeep by way of registered sale deed on the file of Sub Registrar Office-II, Kancheepuram District and the de-facto complainant is in possession and enjoyment of the property. When the de-facto complainant went to America and Canada to see her daughters, at that time, the petitioners along with other co-accused/A1 & A2 colluded, conspired, fraudulently created Power of Attorney, by impersonating the de-facto complainant, forged her signature and created bogus revenue records stands in the name of the de-facto complainant and sold the property in favour of A3 and A4 [the petitioners herein]. Later, when the de-facto complainant had applied for the encumbrance certificate in



respect of property in question before the SRO, Kacheepuram, she came to know that the petitioners had sold the property to the petitioners herein by fabrication of documents, impersonation of de-facto complainant. Hence, the respondent police registered a case against the petitioners and others.

3. The learned counsel for the petitioners submits that prior to purchase of the property, all the revenue documents verified by the legal experts. Subsequently, the petitioners came to know about the forgery committed by other co-accused/A1 & A2. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submits that totally 10 accused were involved in this case. He further submits that A1 is the Power of Attorney Holder; A2 is the impersonator of the de-facto complainant; A3 and A4 are the innocent purchasers of the property of the de-facto complainant. A5 to A9 are the witnesses to the forged Power of Attorney and Sale Deeds and A10 is a Sub Registrar, on the file of Kancheepuram District, who registered all



the fraudulent transactions. He further submits that A1 and A2 conspired, created forged documents using A2 as an impersonator, A1 fraudulently created a Power of Attorney in favour of A2, who then acted as impersonator to execute the sale deed and thereby the property was fraudulently sold viz., 44 cents of land sold to A3 and 39 cents of land sold to A4. He further submits that A1 and A2 were arrested and remanded to judicial custody. He further submits that investigation is pending at the preliminary state itself. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the fact that the petitioners/A3&A4 herein are the innocent purchasers; that the petitioners were not aware about the impersonation committed by the petitioners/A1 & A2; that though investigation is pending at the preliminary stage; that A1 and A2 were arrested and remanded to judicial custody, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the **learned Judicial Magistrate No.I, Kancheepuram**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:-

(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the



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Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**

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

30.10.2025

MSM

Copy to:

- 1.The Judicial Magistrate No.I, Kancheepuram.
- 2.The Inspector of Police
District Crime Branch
Kancheepuram District
Crime No. 3 of 2025
- 3.The Public Prosecutor, High Court, Madras.

K.RAJASEKAR, J.,

MSM



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