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Crl.O.P.No.13565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2025

CORAM

THE HONOURABLE MR JUSTICE N.SENTHILKUMAR

CRL OP No. 13565 of 2025

V.Kailasam

Petitioner(s)/A1

Vs

The State Represented by,
The Inspector of Police,
Avadi CCB –Police Station,
Avadi City, Chennai District.
(Crime No.22 of 2025)

Respondent(s)

For Petitioner(s) : Mr.S.Alan David Rufus

For Respondent(s) : Mr.A.Gopinath
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police in Crime No.22 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 120B, 419, 420, 465, 467, 468 and 471 of IPC, in Crime No.22 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant acquired the property in the year 1996 by way of settlement deed; that later she came to know that on 09.02.2024, one Ramapriya (A2) impersonated the defacto complainant and sold the aforesaid property to the petitioner (A1) by sale deed dated 09.02.2024 registered as Document No.905 of 2024. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent purchaser and has been falsely implicated in this case. He further submitted that the owner, B.Ramapriya, filed a petition in W.P.No.10273 of 2025 before this Court and in the order dated 15.04.2025, it was recorded that the petitioner is a bonafide purchaser for value. It was recorded that the purchaser of the property has given no objection to the cancellation of the sale deed and has also given an undertaking to cooperate with the investigation. He also submitted that the co-accused has already been granted bail by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the



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materials available on record.

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6. Considering the aforesaid fact, nature of allegations and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 daily at 10.30 a.m., until further orders.



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 of B.N.S.

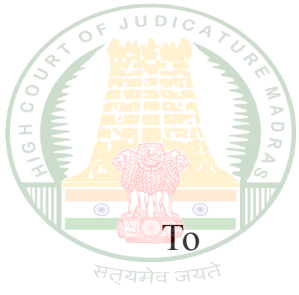
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21.05.2025

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Judicial Magistrate No.I, Poonamallee.

2. The Inspector of Police,
CCB – Avadi Police Station,
Avadi City, Chennai District

3. The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR, J.

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