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CRL OP No. 15363 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2025

CORAM

THE HONOURABLE MR JUSTICE G.K.ILANTHIRAIYAN

CRL OP No. 15363 of 2025

S.Suresh

Petitioner(s)

Vs

The State of Tamil Nadu, Rep by
Inspector of Police
Central Crime Branch,
Tambaram, Sollinganallur,
Chennai-600 097.
Crime No.03/2025

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner accused on bail in the event of arrest by the respondent in Crime No.03 of 2025.

For Petitioner(s): Mr.K.Sachithanandam

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 319(2), 318(4), 336(2), 336(3),



336(4), 338, 340(2) and 61(2) of BNS in Crime No.03 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that on V.V.Subramaniyam was the owner of the property measuring 5500 Sq.ft in plot No.188 and 189 in Sri Balaji Nagar Layout, Madipakkam and the same was sold to the defacto complainant's parents by a sale deed dated 25.06.1968 vide Doc.No.1202 of 1968 . While that being so, the petitioner along with other accused impersonated V.V.Subramaniyam and executed a forged sale deed in favour of Chellammal, who then created a chain of transactions, ultimately leading to the sale of the property to the innocent buyers. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The learned counsel further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioner.



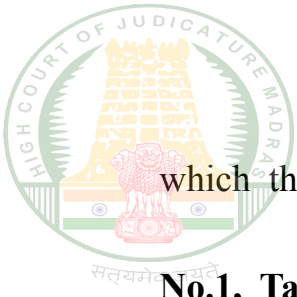
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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution's case and opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the nature of the allegations and the submissions made by the learned counsel appearing on either side and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with 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.1, Tambaram, Chennai on condition that the petitioner shall execute a

bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) 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 learned Magistrate

concerned, and on proof of payment of deposits, failing which, the petition for

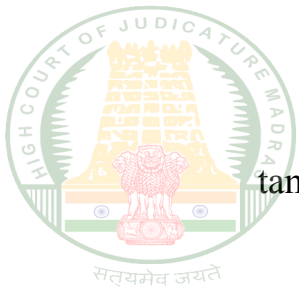
anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

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

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not



tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] the petitioner shall not abscond either during investigation or trial;

[h] 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To
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1. The Inspector of Police
Central Crime Branch,
Tambaram, Sollinganallur,
Chennai-600 097.
- 2, The Judicial Magistrate No.1,
Tambaram, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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