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CRL OP No. 15196 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. 15196 of 2025

1. K.Sattiavelou
2. S.Latha
3. 3.K.Coumaragouru

Petitioners

Vs

The Union Territory of Puducherry rep.,
by the Inspector of Police
CBCID Police Station,
Puducherry
(Cr.No.3 of 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 Petitioners: Mr.A.Kripakaran

For Respondent(s): Mr.K.S.Mohandass
Public Prosecutor-(Pondicherry)

For Intervenor: M/s.R.Nithyashri



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 182, 468, 420 read with Section 34 of IPC in Crime No.03 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons allegedly concealed a power of attorney and executed a settlement deed dated 02.08.2019, despite having previously sold the property to Mrs.Savithiri on 11.02.2004, which was later purchased by the defacto complainant, Valarmathy, on 30.03.2021, thereby cheating her. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. The learned counsel further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and a Civil Suit is pending between the petitioners and the defacto complainant in O.S.No.536 of



2024 before the learned Principal District Munsif, Puducherry and as a counter

blast, this FIR has been filed. Hence, prayed for anticipatory bail to the petitioners.

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 petitioners.

5. Heard the learned counsel for the petitioners 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, the overtact levelled against the third petitioner and since, custodial interrogation of the third petitioner is not required, this Court is inclined to grant anticipatory bail to the third petitioner



alone with certain conditions.

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7.Considering the overtact levelled against the first and second petitioners, and the stage of investigation, this Court is not inclined to grant the relief sought for in these petitioners. Accordingly, this Criminal Original Petition as regards first and second petitioners is dismissed.

8.Accordingly, the third 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 Chief Judicial Magistrate, Puducherry** on condition that the third 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 third petitioner fails to surrender before the said



Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

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[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 third petitioner shall report before the respondent Police daily at 10.30 for a period of one week and thereafter as and when required for interrogation;

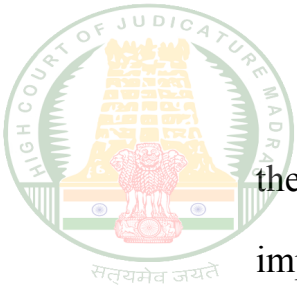
[d] the **third** petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

[f] the third 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 third 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



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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.

14.07.2025

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To

- 1.The Inspector of Police
CBCID Police Station,
Puducherry.
- 2, The Chief Judicial Magistrate,
Puducherry.
3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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