



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.Nos.15968 & 17093 of 2025

Venkatesh ... Petitioner in Crl.O.P.No.15968 of 2025

Thangavel ... Petitioner in Crl.O.P.No.17093 of 2025

Vs.

State rep. by
The Inspector of Police,
Walajapet Police Station,
Ranipet.
(Crime No.206 of 2025)

... Respondent

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime No.206 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Gopi
(In Crl.O.P.No.15968 of 2025)
Mr.S.Kasirajan
(In Crl.O.P.No.17093 of 2025)



For Intervenor : Mr.C.V.Salin Nisha
(In CrI.O.P.No.15968 of 2025)

For Respondent : Mr.S.Udayakumar,
Government Advocate (CrI. Side)
(In both petitions)

COMMON ORDER

The petitioners, who were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 61(2), 336(2), 338, 336(3), 340(2), 318(4), 296(b) & 351(2) of BNS in Crime No.206 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners/A4 and A3 along with the other accused, under the guise of arranging loan for the defacto complainant, obtained power of attorney in favour of A3 and thereafter, by misusing the power of attorney, A3 executed a sale deed in favour of A4. When the defacto complainant came to know about the



execution of sale deed, he demanded the first accused to return back the properties. But the first accused demanded repayment of Rs.14,00,000/- which was paid by him to the defacto complainant. Accordingly in the month of July 2024, the defacto complainant returned the money to the first accused. Even thereafter, the first accused had not come forward to execute the sale deed in favour of the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners had no knowledge about the transaction took place between the first accused and the defacto complainant. Even otherwise, if the defacto complainant has any grievance, it has to be raised only through the civil forum and not by way of lodging criminal complaint. He would reiterate that the petitioners were not aware of the transaction between the first accused and defacto complainant and therefore, they cannot be held liable for the subsequent transaction took place. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned counsel for the Intervenor submitted that the petitioners in collusion with the other accused, obtained power of attorney from the defacto complainant under the pretext of executing mortgage deed and thereafter, by misusing the power of attorney, they have executed a sale deed in favour of A4. He would further submit that the defacto complainant has repaid the amount of Rs.14,00,000/- which was received from the first accused. However, so far, the property has not been returned to the defacto complainant. Hence, he opposed to grant of bail to the petitioners.

5. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that totally there are four accused in this case and the petitioners have been arrayed as A4 and A3 and that the investigation has not been completed. Hence, he opposed for grant of bail to the petitioners.



6. Heard the learned counsels on either side and perused the materials available on record.

7. Considering the fact that the majority of allegation is only against the first accused/Kumaresan. Hence, I am of the view that the custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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 a copy of this order, before the learned **Judicial Magistrate II, Walajapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 fail to surrender before the



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concerned Magistrate within a period of ten 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 daily at 10.30 a.m., for a period of three 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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

11.11.2025

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K.RAJASEKAR, J.

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To

1. The Inspector of Police,
Walajapet Police Station,
Ranipet.

2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.15968 & 17093 of 2025

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