



WEB COPY



Crl.O.P.No.16243 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16243 of 2025

Siva

... Petitioner

Vs.

State rep. By its
The Inspector of Police,
G-6, Chithamur Police Station,
Chengalpattu District.
Crime No.35 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 35 of 2024 on the file of respondent Police.

For Petitioner : Mr.M.Mahendran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 of IPC & 65, 71 of Information Technology Act, 2000 in Crime No.35 of 2024, on the file of the respondent Police, seeks anticipatory bail.



Crl.O.P.No.16243 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner is arrayed as A4 in this case. The dispute mentioned in the FIR pertains to a property originally owned by one Mr.Madhavan. Madhavan predeceased his wife Shantha, who passed away in the year 2012. After the demise of Shantha, Madhavan's sister, arrayed as A2, is stated to have been in possession and enjoyment of the said property. In the year 2021, A2 executed a Power of Attorney in favour of her daughter Nalini, who is arrayed as A1, and a settlement deed was registered in favour of Nalini. Subsequently, in the year 2022, A1 executed a Power of Attorney in favour of one Siva Perumal, through whom the property was further registered in the name of Siva Perumal. The petitioner herein is alleged to be the second witness to the said settlement deed. It is the further case of the prosecution that the 2nd defacto complainant, Mr. Kannadasan, had raised a claim over the title of the disputed property and submitted a representation before the 1st defacto complainant, who is the Sub-Registrar. Upon enquiry, the Sub-Registrar cancelled the entire chain of registration documents executed in favour of the accused. Consequently, O.S. No. 75 of 2023 has been filed and is now pending before the Principal District Court, Chengalpattu, relating to the title and ownership of the disputed property. Hence, the case.



CrI.O.P.No.16243 of 2025

WEB COPY

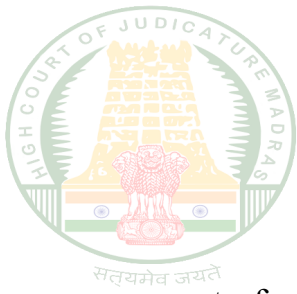
3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

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

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations 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



Crl.O.P.No.16243 of 2025

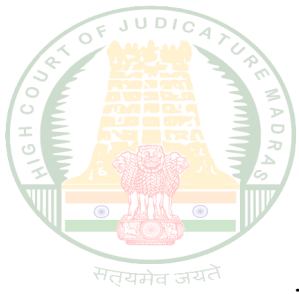
event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **District Munsif Cum Judicial Magistrate Court, Cheyyur, Chengalpattu District** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (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, 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 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 petitioner 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] the petitioner shall not abscond either during



Crl.O.P.No.16243 of 2025

WEB COPY

investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

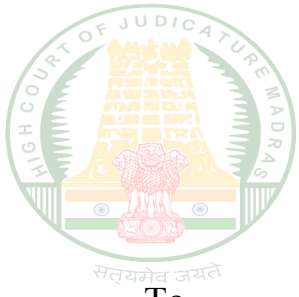
[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

17.07.2025

nsI



CrI.O.P.No.16243 of 2025

To
WEB COPY

1. The District Munsif Cum Judicial Magistrate Court, Cheyyur,
Chengalpattu District.
2. The Inspector of Police,
G-6, Chithamur Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.16243 of 2025

M.NIRMAL KUMAR, J.

nsI

Crl.O.P.No.16243 of 2025

17.07.2025