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CRL OP No. 16380 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. 16380 of 2025

J. Sathishkumar

Petitioner(s)

Vs

The State rep by The Inspector of
Police
Cheyyar Police Station, Tiruvannamalai
District. Crime No. 262/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on anticipatory bail in
the event of his arrest by Cr. No. 262 of 2025 on the file of the respondent
herein.

For Petitioner(s): Mr.Magesh Kumar G

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences under Sections 318(3), 318(4), 351(2) of BNS Act, 2023 in Crime No.262 of 2025, on the file of the respondent, seeks anticipatory bail.

2. The prosecution alleges that the defacto complainant's son, Rajesh, mortgaged their property's original deed to Sangeeth Kumar/A1 for a loan. When Rajesh requested the document's return, Sangeeth Kumar and the petitioner/A3 refused, claiming the property had been sold. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent; that he has been falsely implicated in this case. He submitted that the fact was that the defacto complainant's husband and younger son came to the petitioner through other accused persons in order to sell the aforesaid property, accordingly sale been spoken, consequently sale deed been registered in Doc.No.2465/2025, SRO, Cheyyar as early as on 23.05.2025. All these transactions been made duly in compliance with law and in order to do away the

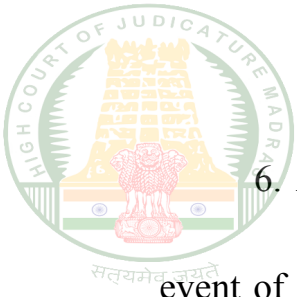


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sale deed, present complaint been given. In fact, while paying the money photo been taken in which the parties at stake were present. There is no case of cheating as due sale deed been effected after payment of sale consideration and in any case, custodial interrogation of the petitioner is not required and sought anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the defacto complainant's son, Rajesh, mortgaged their property's original deed to Sangeeth Kumar/A1 for a loan. When Rajesh requested the document's return, Sangeeth Kumar and the petitioner/A3 refused, claiming the property had been sold. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and also considering the submissions made on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Cheyyar** 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 further condition that:

[a] 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, everyday at 10.30 a.m., until further orders;

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

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

[e] On breach of any of the aforesaid conditions, the



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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.

14-07-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State rep by The Inspector of
Police
Cheyyar Police Station, Tiruvannamalai
District. Crime No. 262/2025.

2. The Judicial Magistrate, Cheyyar.

3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN J.

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