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Crl.R.C.No.16521 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16521 of 2025

S.Mohammed Siddiq

... Petitioner/A5

Vs.

The State rep. by

The Inspector of Police,

Avadi CCB (Forgery Team) Police Station,

(In Crime No.05 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.05 of 2025, on the file of the respondent police.

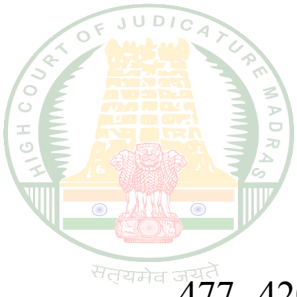
For Petitioner : Mr.I.Calvin Jones

For Respondent : Mr.L.Baskaran

Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.04.2025, for the offences punishable under Sections 406, 465, 468, 471,

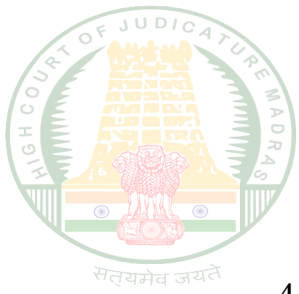


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477, 420, 120-B r/w 34 of I.P.C. in connection with Crime No.05 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had started real estate business. The petitioner in connivance with the other accused had sold the Government meikaal poramboke land as patta land to the de-facto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that there are totally six accused in this case. The petitioner is arrayed as A5, who was employed as cashier in the A1-company, who is running a real estate business. In this case A2 and A3 arrested and they are in prison. He further submitted that in this case as regards A6, who is similarly placed, was granted bail by this Court in Crl.O.P.No.16094 of 2025 on 28.05.2025. He further submitted that the petitioner is suffering from heart ailments and produced medical records for the same. Hence, he prayed for grant of bail to the petitioner.



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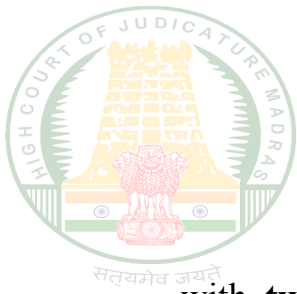
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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that A1 as dealership company projected the Government lands as private lands and collected money from various persons and cheated them. A1 was arrested and acquitted, A2 and A3 have been arrested. As regards the petitioner as a cashier, he is also similarly placed as that of A6.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**



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with **two sureties**, each for a like sum to the satisfaction of the learned

Judicial Magistrate No.I, Poonamallee and on further conditions that:

[a] 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;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



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days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

06.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
Avadi CCB (Forgery Team) Police Station,
Chennai.

3.The Superintendent,
Central Prison,
Puzhal-I, Chennai.

4.The Public Prosecutor,
High Court of Madras.

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