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CRL OP No. 17748 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17748 of 2025

A.Raju

Petitioner

Vs

The State Rep. by the Sub-Inspector of Police,

District Crime Branch -II Chengalpattu

Respondent

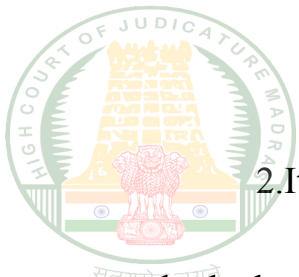
PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner/accused (rank not assigned) on anticipatory bail pending investigation in Cr.No.2/2025 on the file of the respondent.

For Petitioner: M/s. Dr. P.G.Santhosh Kumar

For Respondent: M/s. R. Vinoth Raja Ga (crl. Side)

ORDER

The petitioner, apprehends arrest for the alleged offences under Sections 336, 340, 318 & 62 of BNS, in Crime No.2 of 2025, on the file of the respondent police, seek anticipatory bail.



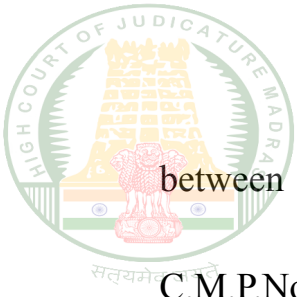
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2. It is the contention of the learned counsel for the petitioner that earlier he had moved an anticipatory bail in Crl.O.P.No.15685 of 2025 and this Court was not inclined and dismissed the bail application on 22.05.2025. The contention of the petitioner is that the case projected against the petitioner is that the Court order in C.M.P.No.29 of 2024 dated 08.04.2024 has been produced to the Deputy Collector, Chengalpattu with regard to issuance of Patta in the name of M.S.Senthil Kumar, S/o.Shanmugam for property in Town Survey No.1458/1 to an extent of 0.66 cents comprised in Chengalpattu Town. The Deputy Collector had forwarded to the District Court for verification and found no such order has been passed and complaint has been lodged. This petitioner has been projected that he said to have handed over this order to A2 who had sold this property favoring M.S.Senthil Kumar/A1. A2 in this case has been arrested and on her confession, the petitioner has been roped in this case. The learned counsel submitted that in this case the beneficiary is M.S.Senthil Kumar and A2's father namely Sheshadri had executed a sale deed in favour of A1 and agreed to receive initially Rs.17 lakhs and after change of name in patta agreed to receive the balance amount. The petitioner earlier was friendly with



Padmavathi/A2 and later got separated and that is the reason she had dragged the petitioner's name. He further submitted that entire documents have been created by others in fact in this case M.S.Senthil Kumar/A1 had obtained a registered general Power of Attorney in Document No.4730/2023 dated 27.03.2023 from A2 favoring A1. Thereafter, on the very next day, a sale deed has been executed by A2's father favoring A1 in Document No.4987/2023 dated 28.03.2023. The respondent police for obvious reasons had not conducted any enquiry as to the A1's complicity in this case and making the petitioner as scapegoat. The respondent police had not collected any documents to show that a huge amount of Rs.16 lakhs was with the petitioner in cash on that day and he had paid to A2, there is no corresponding withdrawal, nothing had been verified but they are targeting the petitioner to be the person who had prepared the disputed order passed in C.M.P.No.29 of 2024.

3.The learned Government Advocate (Crl.Side) strongly objected to the petitioner's contention and submitted that A2 in this case was arrested who had confessed that the petitioner is the land broker who had arranged the sale



between A2 and A1 in this case. He had only produced the order in

C.M.P.No.29 of 2024 and thereafter it was submitted to the Deputy Collector for

change of patta name, which was found to be forged. It is for the petitioner to

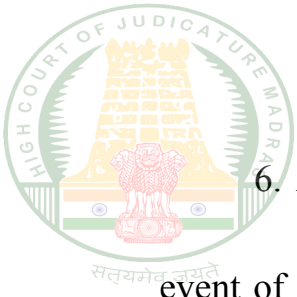
give reasons how he came in possession of the said order. The document is

forged, as confirmed by the defacto complainant, the Court Manager,

Chengalpattu Court. Hence, he opposed for grant of anticipatory bail to the

petitioner.

4. On both side submissions and pursuing the materials, it is seen that in this case A2 had been arrested and now let out on bail. This Court had dismissed the earlier anticipatory bail application filed by the petitioner. It is more than one month and thereafter the police is yet to secure the petitioner. In this case the order copy in C.M.P.No.29 of 2024 has to be found out whether it has been submitted by the petitioner or not and who is the beneficiary of this order. Now the petitioner had come forward to co-operate with the investigation. Hence, 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 II, Chengalpattu*** 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 learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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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.

27-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.The State Rep. by the Sub-Inspector
of Police,
District Crime Branch -II Chengalpattu.
- 2.The Judicial Magistrate-II,
Chengalpattu.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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