



WEB COPY



Crl.O.P.Nos.16527 & 21562 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.16527 & 21562 of 2025

and

Crl.M.P.No.17836 of 2025

Arunachalam

... Petitioner

in Crl.O.P.No.16527 of 2025

1.Thamizharasi

2.Sivagama Sundhari

... Petitioners

in Crl.O.P.No.21562 of 2025

Vs.

The State Rep. By,
The Inspector of Police,
Avadi CCB,
Avadi City CCB,
Chennai.

Crime No.63 of 2025

... Respondent

in Crl.O.P.No.16527 of 2025

The State Rep. By,
The Inspector of Police,
CCB – Avadi City Police Station,
Tiruvallur District.

... Respondent

in Crl.O.P.No.21562 of 2025

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of BNSS Act, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.63 of 2025 on the file of the respondent police.



Crl.O.P.Nos.16527 & 21562 of 2025

For Petitioner : Mr.K.Balu
in Crl.O.P.No.16572 of 2025

For Petitioners : No appearance
in Crl.O.P.No.21562 of 2025

For Intervener : No appearance
in both Crl.O.Ps'

For Respondents : Mr.S.Udayakumar,
Government Advocate (Criminal Side)
in both Crl.O.Ps'

COMMON ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offence punishable under Sections 465, 468, 467 and 420 of IPC, in Crime No.63 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that A1 to A4, by impersonating the real owner of the land, executed a Power of Attorney in favour of A5 and one Sasikala. Thereafter, A6 purchased the property from A5 and sold the same to A7 and A8. Thus, all the accused persons are alleged to have grabbed the land belonging to the de facto complainant. Hence, the complaint.



WEB COPY

3. Learned counsel for the petitioner in Crl.O.P.No.16527 of 2025 submitted that the petitioner is an innocent purchaser, and since the property stands in the name of A5, he has come forward to purchase the land, and there is no criminal intention to the same. Hence, he prayed for the grant of anticipatory bail.

4. Learned counsel for the petitioners in Crl.O.P.No.21562 of 2025 submitted that the petitioners are not involved in any of the alleged offences and have been falsely implicated in this case. Hence, he prayed for the grant of anticipatory bail.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally 9 accused persons have been arrayed in this case. It is alleged that A1 to A4 fabricated and executed a Power of Attorney in favour of A5; A5 thereafter sold the property to A6, who subsequently sold it to A7 and A8. He further submitted that the investigation is still pending.



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

7. On perusal of the FIR, it is revealed that the entire transactions took place in the year 2004, and subsequently, after 2018, another sale deed was executed by A6 in favour of other persons. Hence, this Court is of the view that the transactions are borne out by the records, and 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Poonamallee**, on condition that the petitioners 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 fails to surrender before the 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;



Crl.O.P.Nos.16527 & 21562 of 2025

[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]**;

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

Consequently, the connected miscellaneous petition is closed.

23.10.2025

cda



WEB COPY



Crl.O.P.Nos.16527 & 21562 of 2025

K.RAJASEKAR, J.

cda

To

1.The Judicial Magistrate No.I, Poonamallee.

2.The Inspector of Police,
Avadi CCB,
Avadi City CCB,
Chennai.

3.The Inspector of Police,
CCB – Avadi City Police Station,
Tiruvallur District.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.16527 & 21562 of 2025

23.10.2025