



CRL OP NO. 17425 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

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CRL OP NO. 17425 of 2025

1.Umrao Kanwar
2.Ameet Kumar

Petitioner(s)

Vs

The State represented by its,

The Inspector of Police,
Nellankarai Police Station, Chennai.

Cr.No.318/2025.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.318 of 2025 on the file of the respondent police.

For Petitioner(s):

Mr.G.Rajagopalan (Senior Counsel) for
Mr.Stalin Thiaga Raja
G.R.Associates
Niranjan Rajagopalan

For Respondent(s):

Mr.A.Gokula Krishnan
Additional Public Prosecutor

For Intervenor:

Mr.J.Suresh

ORDER

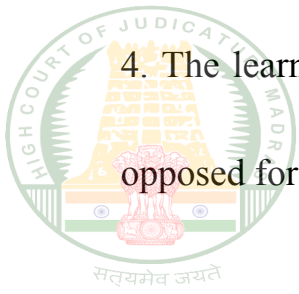


The petitioners, who apprehend arrest at the hands of the respondent police for offences punishable under Section 406 and 420 I.P.C, in Crime No.318 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that the first petitioner's husband advanced a loan of Rs.50 lakhs to the defacto-complainant on 16.10.2023 on the strength of registered Memorandum relating to deposit of Title deeds. The defacto-complainant was unable to pay the interest and therefore she opted to sell her property to petitioner's husband for a sale consideration of Rs.1,60,00,000/-. However, the petitioner's husband paid only Rs.61,83,500/- and that too adjusted towards interest to discharge MOD dated 16.10.2023 and agreed to handover the balance sale consideration on the date of registration of sale deed. Thereafter, without her knowledge, the petitioner's husband collected the sale deed from the Registrar office. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.



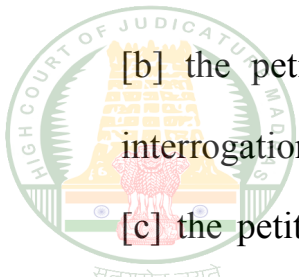
4. The learned Additional Public Prosecutor reiterated the prosecution case and ultimately opposed for grant of anticipatory bail to the petitioners.

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5. Considering the above fact and circumstances of the case and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned **District Munsif cum Judicial Magistrate, Sholinganallur**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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] the petitioners and 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 petitioners shall report before the respondent police as and when for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the 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)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

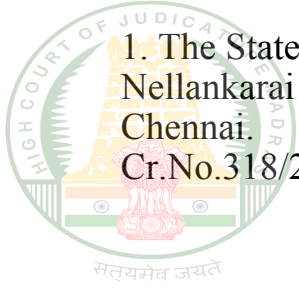
23.06.2025

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G.K.ILANTHIRAIYAN, J.

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To



1. The State represented by its, The Inspector of Police,
Nellankarai Police Station,
Chennai.
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