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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.19597 of 2025

and

Crl.M.P.No.14405 of 2025

1. Ganesamoorthy

2. Vasantha

... Petitioners

State rep. by
The Inspector of Police,
Tiruvannamalai DCB Police Station,
Tiruvannamalai District.
(Crime No.1 of 2025)

... Respondent

COMMON PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.1 of 2025 on the file of respondent police.

For Petitioners : Ms.Suseela Devi

For Intervenor : Mr.S.V.Karthikeyan

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side).



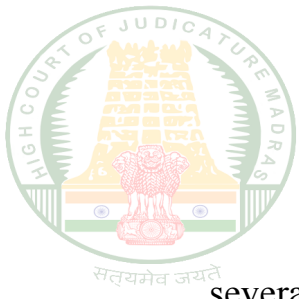
ORDER

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The petitioners, who were apprehending arrest at the hands of the respondent police for the alleged offences **under Sections 336 (2), 336(3) and 340 of BNS** in Crime No.1 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the 2nd petitioner is the owner of land to the extent of 15 cents in Survey No.114/7A (New Survey No.114/7A4) and she executed power of attorney in favour of defacto complainant in the year 2004. Subsequently, these lands sold by the defacto complainant to one Anandha Kumar. On 25.11.2011, the defacto complainant repurchased the same in his name. While so, by suppressing all these facts, the 2nd petitioner along with other accused executed a settlement deed by the accused No.2 in favour of Accused No.1. Hence, the complaint.

3. The learned counsel for the petitioners would submit that since the power of attorney was already cancelled, as a land owner, the second petitioner was entitled to sell the property. Hence, he prayed for grant of bail to the petitioners.



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4. The learned counsel for the Intervenor would submit that already several transactions taken place after execution of power of attorney in the year 2004. The settlement deed was executed with a view to grab the land of the defacto complainant and oppose to grant bail. He further submitted that, already this Court in another proceedings, imposed restrictions on the accused from dealing with property.

5. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the investigation is under progress and none has been arrested. The power of attorney, which was registered in the year 2004, cancelled by the second respondent, by approaching the permanent Lok Adalat and the same has been stayed by this Court. Subsequently, this settlement has been executed by the petitioners without giving any respect to the interim order of this Court as well as the third party interest created.

6. It is seen that the investigation in this case has just started and the petitioners have also not given due respect to the interim order passed by this Court. Hence, this Court is not inclined to grant bail to the petitioner.



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K.RAJASEKAR

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7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

17.09.2025

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To

1. The Judicial Magistrate, Tiruvannamalai.

2. The Inspector of Police,
Tiruvannamalai DCB Police Station,
Tiruvannamalai District.

3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.19597 of 2025

and

CrI.M.P.No.14405 of 2025