



Crl.O.P.Nos.19730 & 19734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.19730 & 19734 of 2025

Arun Malhotra ... Petitioner in Crl.O.P.No.19730 of 2025

1. Shikha Malhotra

2. Harsh Malhotra ... Petitioners in Crl.O.P.No.19734 of 2025

Vs.

State By,
The Inspector of Police,
Central Crime Branch -I,
Forgery Investigation Wing, Beta -9,
Vepery, Chennai.
Crime No.41 of 2023

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of their arrest in Crime No.41 of 2023 on the file of the respondent police.

For Petitioner

in Crl.O.P.No.19730 of 2025 : Mr.Prahald K Bhat



Crl.O.P.Nos.19730 & 19734 of 2025

For Petitioner

in Crl.O.P.No.19734 of 2025 : Mr.Prasanth Narayanan

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

For Intervenor : Mr.V.Karthick (Senior Advocate)
for Mr. S.Varun Ganesh Samiappa
Mr. M.V.Swaroop

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 467, 468, 471 and 511 of IPC in Crime No.41 of 2023, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners while registering the documents had produced the fake parent sale deeds belongs to the original owner and also some other fabricated documents which were suspected by the Registrar while registering the documents and hence, he conducted verification and found that the documents produced by A4 were fabricated and hence the complaint.



WEB COPY

3. The learned counsel appearing for the petitioner/A4 submitted that, A4 is the power of attorney of the original owner and he has instructed his Manager to prepare the sale deed for the purpose of registering the same in his favour and he has only given instruction to the Manager, who is arrayed as A2 in this case and he is a permanent resident of Bhopal, he was not aware about sale deeds fabricated.

4. The learned counsel appearing for the petitioner/A6 submitted that, she is the wife of the A4 herein and sale deed was registered in her favour and since there were documents in her favour and she was also roped in this case.

5. The learned counsel for the intervener submitted that, he is entered into joint development agreement with A6 and since there was joint venture agreement subsisting and sale deed attempted to be registered, which adversely affects his interest. Hence, he opposed for grant of anticipatory bail to the petitioner.



6. The learned counsel appearing for the intervenor/landlord submitted that, in the year 2017 itself, the power of attorney was executed in favour of A4 was cancelled, but suppressing the same, petitioner had attempted to execute the sale deed in his favour.

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

8. It is the specific case of A4, he obtained power of attorney from the land owner after paying full consideration and on the strength of the same, executed sale deed in favour of his wife. It is also noted that the complaint was lodged in the year 2023 and already A2/Manager was arrested and released. The allegations herein is relating to fabrication of documents and the case is borne out by records, I am of the view that custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date



WEB COPY

of receipt of a copy of this order, before the learned **Additional Court for Exclusive Trial of CCB Cases, Egmore** on condition that each of the petitioner 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 petitioner 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;

[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 petitioner 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 petitioner in



CrI.O.P.Nos.19730 & 19734 of 2025

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]**;

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

25.10.2025

sma

To

1. Additional Court for Exclusive Trial of CCB Cases, Egmore
- 2.The Inspector of Police,
Central Crime Branch -I,
Forgery Investigation Wing, Beta -9,
Vepery, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.Nos.19730 & 19734 of 2025

K.RAJASEKAR, J.

sma

Crl.O.P.Nos.19730 & 19734 of 2025



WEB COPY



Crl.O.P.Nos.19730 & 19734 of 2025

25.10.2025

(1/2)