



Crl.O.P.No.20454 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.20454 of 2025

1.K.Venkatesan

2.Vijaya

... Petitioners

Vs.

The Inspector of Police,

CCB, LD-II,

Avadi Police Station,

Avadi,

Thiruvallur.

Crime No.Not known of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest in Cr.No.Not known of 2025 on the file of respondent police.

For Petitioners : Mr.M.Soundar Vijay Arulram
For Respondent : Mr.A.Gopinath,
Government Advocate (Criminal Side)
For Intervenor : Mr.B.Thirumalai,
For Mr.S.Karl Marx



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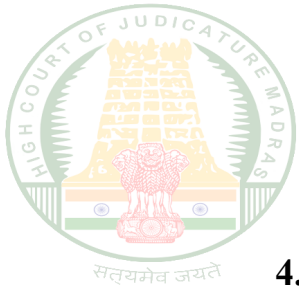
ORDER

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The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 318(4) of BNS, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that originally an extent of 422 sq.m of land belonging to the de-facto complainant was acquired for road widening, and subsequently, 100sq.m was returned to the de-facto complainant. However, before the de-facto complainant could take possession of the said land, various persons, including the petitioner, created documents to claim title over the property. It is further alleged that they were in possession of 760sq.ft and executed a settlement deed among themselves for the purpose of illegal possession. Before the registration of the FIR, the said settlement deed was cancelled through a registered document bearing No.1844 of 2024. Hence the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. Hence, he prays that anticipatory bail be granted to the petitioners.



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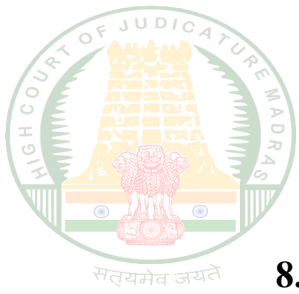
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4. The learned counsel for the intervenor opposed the grant of anticipatory bail to the petitioners. However, he admitted that the documents in question have already been cancelled by the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are a total of 14 accused in this case. Though the petitioners claim to have cancelled the settlement deed, they continue to remain in possession of the property. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

7. Considering the submissions made on both sides, it is placed on record that the petitioners have also filed an affidavit stating that they had already cancelled the settlement deed even prior to the registration of the FIR, and the same has been duly recorded. It is further stated that although the settlement deed had been executed earlier, it was subsequently cancelled, and the petitioners are neither in possession nor enjoyment of the property and will not claim any right over it in future.



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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 Ambatuur, Thiruvallur District**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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;

[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 one week and thereafter as and when required for interrogation;



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[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.

14.10.2025

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To

- 1.The Judicial Magistrate, Ambattur, Thiruvallur District.
- 2.The Inspector of Police,
CCB, LD-II,
Avadi Police Station,
Avadi,
Thiruvallur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.,

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