



Crl.O.P.Nos.20394 & 20402 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.20394 & 20402 of 2025

F.Bilal ... Petitioner in Crl.O.P.No.20394 of 2025

1. M.Ezhilarasi
2. N.Prakash ... Petitioners in Crl.O.P.No.20402 of 2025
Vs.

State By,
The Inspector of Police,
P6, Kodungaiyur Police Station (Crime),
Chennai- 600 118.
Crime No.341 of 2025

... 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.341 of 2025 on the file of the respondent police.

For Petitioner

in Crl.O.P.No.20394 of 2025 : Mr.R.C.Paul Kanagaraj

For Petitioner

in Crl.O.P.No.20402 of 2025 : Mr.C.P.Naresh Kumar

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

For Intervenor : Mr.P.Krishnan



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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 Sections 406 and 420 of IPC in Crime No.341 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that this petitioner is the relative of the defacto complainant and while the defacto complainant had come forward to purchase a land, from a third party, petitioner along with other accused after receiving an amount of Rs.95,00,000/- from the defacto complainant, promised that sale will be executed in favour of the defacto complainant, had obtained power of attorney in petitioner's favour from original owner/third party. While the said oral agreement was pending between the defacto complainant and petitioner, he has sold the property in favour of one Ezhilarasi by fabricating the documents. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that, defacto complainant has not paid any money to the petitioner and infact petitioner is the one who had come forward to purchased the property and he obtained power of attorney in his favour and his uncle was placed incharge



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for looking after the property, however his uncle told the defacto complainant to reside in the property and the petitioner was working in abroad and after he return to India, he came to know that property was in possession of the Gowri and he has not received any money from her and there is no oral agreement for sale. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the defacto complainant/Intervenor submitted that, in the year 2011 itself, petitioner has received a sum of Rs.90 lakhs and on the strength of the power of attorney, he handed over the property and the said Gowri is in possession of the same from 2012 onwards and after the petitioner return to India, he demanded back the registration of documents, however, he refused to register the docuemtns in her favour and further by obtaining forged life certificate and also colluding with the said Ezhilarasi, created sale agreement without any sale consideration. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of



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anticipatory bail to the petitioner.

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

6. Considering the fact that the allegation is relating to fabrication of documents and the case is borne out by records and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. 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 of receipt of a copy of this order, before the learned **X Metropolitan Magistrate Court, Egmore, Chennai** 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



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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 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.



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To

- 1.The X Metropolitan Magistrate Court,
Egmore, Chennai.
- 2.The Inspector of Police,
P6, Kodungaiyur Police Station (Crime),
Chennai- 600 118.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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