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Crl.OP.No.24586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.24586 of 2025

V.Senthilkumar

... Petitioner

Vs.

State Represented by
The Inspector of Police
R-4 Soundrapandiyanar Angadi Police Station
T.Nagar
Chennai District.
(Crime No.69 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of the arrest in Crime No.69 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.R.Yaman Oberoi

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



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **316(2), 318(2), 296(b) and 351(2) of BNS, 2023, in Crime No.69 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation is that the petitioner received a power of attorney for the purpose of looking after the property. However by taking advantage of the relationship, he sold the property after obtaining huge amount as a maintenance charges. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner during the life time of the defacto complainant's husband, with his consent sold the property also paid the sale consideration with the parties which is not properly reflected in the FIR, and false complaint lodged by the defacto complainant. He further submitted that the petitioner shall co-operate with the investigating and he is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is ready to



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abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police reported that the petitioner having obtaining power of attorney not only received a huge amount as maintenance charges also sold the same to the third parties and received a cash consideration of Rs.68 lakhs, thereby cheated the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the petitioner based on the power of attorney had sold the property and if any violation of power agent is reported, the same shall be resolved through other legal proceedings, the allegations against the petitioner are covered by various documents, this Court is of the view that the custodial interrogation of the petitioner is not necessary in this case, hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XVII Metropolitan Magistrate at Saidapet, Chennai**, 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 petitioner fails to surrender before the concerned Magistrate, within a period of fifteen 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;**



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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 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.

23.09.2025

dna

To

1.The XVII Metropolitan Magistrate at Saidapet, Chennai.

2.The Inspector of Police
R-4 Soundrapandiyanar Angadi Police Station
T.Nagar
Chennai District.
(Crime No.69 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

dna

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