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Crl.O.P.No.24728 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.24728 of 2025

1.S.Thirunavukkarasu
2.Manoharan

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Central Crime Branch,
Avadi, Chennai-54.
Crime No.57 of 2025

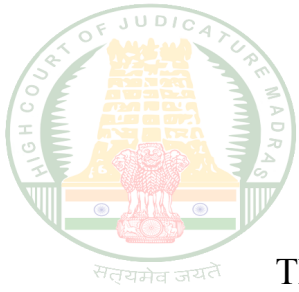
... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail to the petitioners in the event of their arrest in Crime No.57 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.V.Perarasu

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

ORDER



Crl.O.P.No.24728 of 2025

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The petitioners were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(i) of IPC in Crime No.57 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that in the year 1999 the petitioners, acting under a General Power of Attorney from one Munusamy (A3), sold housing plots at Pattaravakkam, Ambattur, to the de facto complainant and his relative. Later, the Tahsildar rejected the patta application stating the land is water body. After 26 years, the de facto complainant has come forward with the present case.

3. The learned counsel appearing for the petitioners submitted that the de facto complainant purchased the land with full knowledge that it had no patta. However, the complaint was lodged belatedly after 26 years. The petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side), appearing for the



CrI.O.P.No.24728 of 2025

WEB COPY

respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of the complaint and the fact that the alleged transaction took place in the year 1999, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 No.I, Poonamallee**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 fail 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



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CrI.O.P.No.24728 of 2025

[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 two 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 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.

16.09.2025

cda



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To

- 1.The Judicial Magistrate No.I, Poonamallee.
- 2.The Inspector of Police,
Central Crime Branch,
Avadi, Chennai-54.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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Crl.O.P.No.24728 of 2025

Crl.O.P.No.24728 of 2025

16.09.2025