



Crl.O.P.No.25120 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25120 of 2025

G.Ra.Gokul.

... Petitioner/Accused 7

/versus/

State of Tamil Nadu,
Represented by,
Inspector of Police,
Avadi City CCB,
Tiruvallur District.
[Crime No.10 of 2022]

...Complainant/Respondent

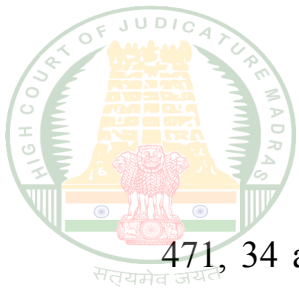
Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., / Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.10 of 2022 on the file of the respondent police.

For Petitioner : Mr.G.Masilamani, Senior Counsel,
for Mr.Vishnu Venkatesh

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 465, 467, 468,

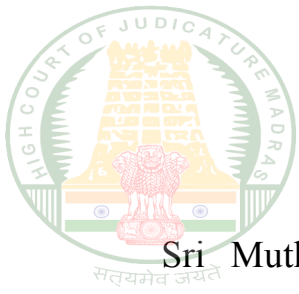


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471, 34 and 120B of IPC (as amended) [Section 319(2), 336(2), 338, 336(3), 340(2), 3(5) and 61(2) of BNS, in Crime No.10 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The sum and substance of the complaint is that the accused persons had impersonated one Pattammal and created a General Power of Attorney and later executed lease deed in respect of 6 Acres 18 cents. For the said purpose, the power of attorney document been created in favour of Venkatesan, as if Pattammal had authorised him as her agent to deal with the property. This petitioner is shown as A7. According to this petitioner, he has no role in the alleged transaction, in fact, he purchased property from Pattammal in the year 2012 under a valid sale consideration and that is not subject matter of the investigation. The dispute is only in respect of 1 Acre 97 cents, which Venkatesan representing Pattammal as her agent, had entered into a lease agreement with Sri Muthukumaran Education Trust.

3. The Learned Government Advocate (Crl.Side) appearing for the respondent, relying upon the statement of A4 submits that it is case of conspiracy wherein a portion of the property owned by Pattammal was leased to



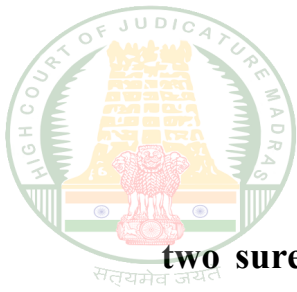
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Sri Muthukumaran Educational Trust by impersonation and by creating

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fabricated power of attorney document. For the said purpose, the Learned Government Advocate (Crl.Side), on reading the statement of the co-accused (A4 Venkatesan), though it has less probative value, this Court finds nothing incriminating against this petitioner is spoken by the said witness. He had only mentioned the name of the petitioner as a purchaser of portion of the property from Pattammal directly in the year 2012. This transaction is the genuine transaction and not disputed either by Pattammal or her son who is the defacto complainant in this case. Under these circumstances, this Court is of the view that the custodial interrogation of this petitioner is not required.

4. Considering the nature of the complaint and the material on record, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 30.09.2025** before the Learned **Judicial Magistrate-I, Poonamallee** on condition that the petitioner shall execute a bond for a sum of **Rs.1,00,000/- (Rupees One Lakh only)** with



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two sureties each for a likesum to the satisfaction of the learned Magistrate concerned and on further condition that:-

[a] If the petitioner fail to surrender before the concerned Court on or before 30.09.2025, 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 as and when required, upon receipt of summons.

[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**



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Kerala [(2005)13 SCC 283];

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

15.09.2025

bsm

To,

1. The Judicial Magistrate-I, Poonamallee.
2. The Inspector of Police, Avadi City CCB, Tiruvallur District.
3. The Public Prosecutor, High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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Dr.G.JAYACHANDRAN, J.

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