



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.Nos.27065 & 27283 of 2025

Esuraj @ Yesuraj

... Petitioner in Crl.O.P.No.27065 of 2025

C.Mahesh

... Petitioner in Crl.O.P.No.27283 of 2025
Vs.

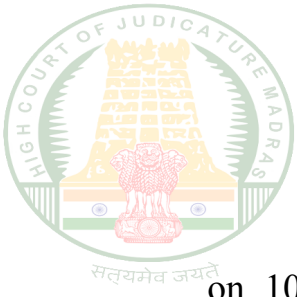
State represented by
The Inspector of Police,
CBCID - North,
Kancheepuram.
(Cr.No.01 of 2025)

... Respondent in both petitions

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Cr.No.1 of 2025 on the file of the respondent police.

For Petitioners	: Mr.L.Ramu (In Crl.O.P.No.27065 of 2025) Mr.MA.Gouthaman (In Crl.O.P.No.27283 of 2025)
For Respondent	: Mr.A.Gopinath Government Advocate (Crl. Side) (In both petitions)

ORDER



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The petitioners, who were arrested and remanded to judicial custody on 10.09.2025 & 30.09.2025 respectively for the alleged offence under Sections 465, 466, 468, 471, 120(B), 419 of 420 and 109 of IPC, in Crime No.1 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that originally 1.08 acres of land belongs to one Nithiyanand, who is the husband of the defacto complainant. It was subsequently settled in favour of the defacto complainant. By suppressing these transactions, A1 namely Senthil Kumar along with A2 and other accused, impersonated as Nithiyanand and registered a power of attorney in favour of A2. Subsequently it was cancelled after he came to know that at the time of registration of power of attorney, Thilagavathy was a owner of the property. Then another power of attorney was fabricated by the accused No.1, joining with other accused. Subsequently, based on this power of attorney, Senthil Kumar started to sell the property and dealt with the property. Thereafter, on the basis of the complaint lodged by the defacto complainant, the investigation was conducted and after transferring the investigation to various agencies, CBCID took up the investigation. In the investigation, it revealed that the petitioner in CrI.O.P.No.27283 of 2025



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was an accused No.41. Both the accused Nos.40 and 41 filed protest petition before the Registration Office knowing fully well that, they have no manner of right to object the registration and they negotiated with Senthilkumar-A1 and A40 received Rs.55 Lakhs. Out of Rs.55 lakhs received from the Accused No.1, A40 who in turn given Rs.5,00,000/- to the Accused No.41/petitioner herein. The petitioner in CrI.O.P.No.27065 of 2025 is concerned, who is ranked as A23, he is employee of A1, has attested the power of attorney executed in favour of one Madhu priya knowing fully well that A1 was not having any right over the property.

3. The learned counsel for the petitioner in CrI.O.P.No.27065 of 2025/A23 submitted that the petitioner has been falsely implicated in this case. The petitioner is the attester of the documents executed by A1 and he was not aware of the fact that A1 is not the owner of the property and it is also false that he has received money from A1. He further submitted that he is ready to abide any stringent conditions and ready to co-operate for the investigation.

4. The learned counsel for the petitioner in CrI.O.P.No.27285 of 2025



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submitted the petitioner has been falsely implicated based on the statement given by the accused No.40 namely Varaaki @ Krishna Kumar and that, A40 has already been granted bail by this Court vide CrI.O.P.No.26611 of 2025 dated 06.10.2025. This petitioner is similarly placed with Accused No.40.

5. The learned counsel for the both the petitioners submitted that the petitioners are in incarceration from 10.09.2025 & 30.09.2025 respectively and some of the co-accused were also released on bail and sought for grant of bail to the petitioners.

6. The learned Government Advocate (CrI Side) submitted that totally 41 accused identified in this case and the original owner of the property is one Nithiyanand. Subsequently, it was settled in favour of one Thilgavathy, wife of Nithiyanand. A1 by joining hands with the other accused, started fabricating the power of attorney and executed sale deed in favour of other accused and subsequently, attempted to sell the property to various persons. He further submitted that the petitioner in CrI.O.P.No.27283 of 2025 is ranked as A41 and he joined hands with A40 and filed a protest petition



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before the Registration Office and collected money in this regard. Totally they had demanded Rs.2 Crores and Rs.55,00,000/- was collected by A40. He further submitted that as far as the other petitioner in CrI.O.P.No.27065 of 2025 is concerned, he is arrayed as A23 and he has received Rs.25,00,000/- from A1 for attesting the power of attorney and sale deed on 06.08.2019.

7. I have considered the submissions and perused the records.

8. As far as A41/Petitioner in CrI.O.P.No.27283 of 2025 is concerned, he has been implicated and arrested on 10.09.2025 based on the statement recorded from the accused No.40. The allegation against the petitioner is that, A40 received Rs.55,00,000/- and filed protest petition before the Registration Office. Already this Court by an order dated 06.10.2025 in CrI.O.P.No.26611 of 2025 has granted bail to A40/Varaaki @ Krishnakumar. Similarly, Accused No.23 is attester of document and he is also arrested and in custody from 30.09.2025.

9. Considering the above facts and circumstances and the fact that



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there is no previous case pending against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

10. Accordingly, the petitioners are ordered to be released on bail on **their** executing a **separate** bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate Court No.I, Chengalpattu** and on further conditions that:

[a] 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;

[b] the petitioners shall report before the respondent police for a period of one month and thereafter, as and when required for interrogation;

[c] 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



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by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

10.10.2025

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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.

To

1. The Judicial Magistrate No.I, Chengalpattu.
2. The Inspector of Police,
CBCID - North,
Kancheepuram.
3. The Central Prison,
Puzhal, Chennai.
4. The prison, Chengalpattu.
5. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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