



WEB COPY



CrI.O.P.No.27415 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.27415 of 2025

K.N.Gunasekaran

... Petitioner/A1

Vs.

The State Rep. by
The Inspector of Police
K-3, Aminjikarai Police Station,
Chennai-600 029.
(Crime No.404 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of B.N.S.S, to enlarge the petitioner/accused on bail in the event of arrest by the respondent police in Crime No.404 of 2025 pending investigation before the respondent.

For Petitioner : Mr.C.Mohan Raj

For Respondent : Mr.S.Santhosh

Government Advocate (CrI. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of the Indian Penal Code, 1860, in Crime No.404 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, in collusion with

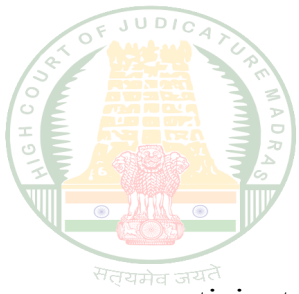


CrI.O.P.No.27415 of 2025

other accused, induced the de-facto complainant to enter into an unregistered sale agreement for a property measuring 12,840 sq.ft in Survey Nos.18 to 22 at Sastha Nagar, Korattur, Tiruvallur District, and received an advance of Rs.25,00,000/- based on forged documents with an intent to cheat. It is further alleged that the petitioner received Rs.5,00,000/- as commission for the transaction. As the police refused to register the complaint lodged by Mr.Mallebonia Chalamaiah, he filed a private complaint under Section 156(3) of Cr.P.C in CrI.M.P.No.3881 of 2025 before the learned V Metropolitan Magistrate, Egmore, Chennai, which was allowed on 23.06.2025, and accordingly, a case was registered against the petitioner and others.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case; that the petitioner has not committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4.Learned Government Advocate (CrI. Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of



Cr1.O.P.No.27415 of 2025

anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and since, custodial interrogation is not required for the purpose of investigation, 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 fifteen days from the date on which the order copy made ready, before **the learned V Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their



Cr1.O.P.No.27415 of 2025

WEB COPY

photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30.a.m.,until further orders;

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

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



Cr1.O.P.No.27415 of 2025

03.10.2025

WEB COPY

nvi

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 official website of this Court will be watermarked and will also have a QR code.*

To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police
K-3, Aminjikarai Police Station,
Chennai-600 029.
- 3.The Public Prosecutor
High Court of Madras.

N.SENTHILKUMAR, J.

nvi



WEB COPY



Crl.O.P.No.27415 of 2025

Crl.O.P.No.27415 of 2025

03.10.2025