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Crl.O.P.No.28547 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.28547 of 2025

Anbarasan

... Petitioner/ A4

Vs

The State rep. by,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.574 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent in Crime No.574
of 2025 on the file of the respondent police.

For Petitioner : Mr. Deepak Kumar C

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 420, 468 and 471 of IPC in Crime No.574 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant approached A1 for availing loan of Rs.3 lakhs and for the purpose of securing the repayment of the loan, the defacto complainant executed a Power of Attorney deed in favour of A2 on the instigation of A1; that thereafter, A1 joining hands with other accused and A2 executed a sale deed in favour of A1; that while the defacto complainant approached A1 for settling the loan amount, A1 demanded a sum of Rs.32 lakhs to return back the land; that the allegation against the petitioner herein/A4 is that he is a Government Doctor, who alleged to have issued a fake "Life Certificate" of the defacto complainant dated 04.10.2021. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner was falsely implicated in this case and he has not involved in



the above said offence. He further submitted that the petitioner has seen the defacto complainant and issued the Life Certificate; that the co-accused/A1 to A3 were already granted anticipatory bail by this Court, vide order dated 15.10.2025 in Crl.O.P.No.28068 of 2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the investigation of this case is pending.

5. This Court, while granting anticipatory bail to the co-accused/A1 to A3, vide order dated 15.10.2025 in Crl.O.P.No.28068 of 2025 has observed as follows:

"5. I have gone through the FIR, it is found that the transactions and execution of power of attorney was taken place in the year 2010 and the defacto complainant has come forward to settle the loan in the year 2020 and she came to know about the sale of the land in the year 2020. However, she had not come forward with lodging a complaint in the year 2020 and a complaint has been lodged in the year 2025. Considering the facts and circumstances of the case, the



custodial interrogation of the petitioner is not necessary in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain condition."

6. Considering the above facts and the allegation leveled against the petitioner herein, I am of the view that the petitioner is also entitled for anticipatory bail. 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 Judicial Magistrate-I, Kallakurichi** 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 on which the order copy made ready, 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;



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[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;**

[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.

06.11.2025

stn

To

1. The Judicial Magistrate-I,
Kallakurichi.



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K. RAJASEKAR, J.

stn

2. The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.574 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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