



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28632 of 2025

VAITHEESWARAN

Petitioner(s)

Vs

State Rep. By The Inspector of police,
CCB Avadi, Avadi City. (Crime No.79
of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on Anticipatory Bail in the event of her arrest pending investigation in Crime No. 79 of 2025 on the file of the respondent.

For Petitioner(s): Mr.T Muruganantham

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

**ORDER**

The petitioner, who apprehends arrest for the alleged offence under Sections 420, 465 and 467 of IPC, in Cr.No.79 of 2025 on the file of the respondent police seeks anticipatory bail.

2.The allegation against this petitioner is that he purchased the property from one Thiagarajan, who is alleged to have been in possession of a forged patta. Thiagarajan appointed another person as his Power of Attorney, and together they sold the property to the petitioner, thereby cheated the defacto complainant.

3.The learned counsel for the petitioner submitted that, before the purchase, a copy of the patta was submitted to the jurisdictional Tahsildar for verification and was confirmed as valid. However, following a complaint, the patta was subsequently cancelled and an order confirming its cancellation was issued. The learned counsel further argued that the petitioner is merely a purchaser from A2, that he holds valid title, and therefore requested anticipatory



bail on the ground that he bought the property for valuable consideration.

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4.The learned counsel for the Intervenor submitted that the defacto complainant is the rightful owner and that the accused persons, in collusion with others, fabricated a patta and, based on that forged document, created a power of attorney and executed a sale deed in favour of the petitioner. He opposed the grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.side) for the respondent police reported that no arrests have been made so far and that the petitioner is ranked as A1 since the sale deed is in his name. He further submitted that the investigation is ongoing and opposed for grant of anticipatory bail to the petitioner.

6.Considering that the petitioner acquired the property from persons found to be in possession of a forged patta and that the patta was cancelled only after the purchase, I am of the view that custodial interrogation of the petitioner is not necessary. Accordingly, I am inclined to grant anticipatory bail to the



petitioner subject to certain conditions:

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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 (15) days from the date on which the order copy made, before the learned **Judicial Magistrate No.1, Poonamallee** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

28-10-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.State Rep. By The Inspector of police,
CCB Avadi, Avadi City. (Crime No.79
of 2025)
- 2.The Judicial Magistrate No.1,
Poonamallee.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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