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Crl.O.P.No.28788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: **23.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL.OP.No.28788 of 2025

Sakthivel

... Petitioner

Versus

The State represented by,
The Inspector of Police,
C.C.B-Tambaram, Chennai.
(Crime No.25 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.25 of 2024 pending investigation on the file of the respondent Police.

For Petitioner	:	Mr. T.Sai Krishnan
For Respondent	:	Mr. A. Gopinath Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.09.2025, for the offences punishable under Sections 419, 420, 464, 465, 467, 468, 471 r/w 34 of IPC, in Crime No.25 of 2024, registered on the file of the respondent police, seeks bail.



Crl.O.P.No.28788 of 2025

2. The allegation against the petitioner is that, he joined hands with two other accused persons, fabricated a Power of Attorney, and on the strength of the said document, grabbed the land in favour of the petitioner. Based on the complaint, a case was registered, and the petitioner was arrested. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has been in judicial custody since 15.09.2025, and the alleged occurrence took place in April 2022, whereas, the complaint was lodged only recently. He also submitted that the petitioner was bonafidely purchased the property from the Power of Attorney holder of the defacto complainant, who is the original owner. Further, he submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, while opposing the bail to the petitioner, reiterated the prosecution case that there are three accused in this case. The petitioner is



Crl.O.P.No.28788 of 2025

ranked as A3, and the first accused/A1 had fabricated the document and grabbed the land from the defacto complainant. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the alleged occurrence took place in the year 2022, whereas the First Information Report was registered only in the year 2024, and also taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 - II, 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'].



Crl.O.P.No.28788 of 2025

WEB COPY

The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10:30 A.M., for a period of three weeks 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner was 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];**

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

23.10.2025

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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.



Crl.O.P.No.28788 of 2025

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To

- 1.The learned Judicial Magistrate-II, Chengalpattu.
- 2.The Sub-Jail, Chengalpattu.
- 3.The Inspector of Police, C.C.B-Tambaram, Chennai.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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Crl.O.P.No.28788 of 2025

K.RAJASEKAR,J.

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Crl.O.P. No.28788 of 2025

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