



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.30001 of 2025

Kadhir Basha

... Petitioner

Vs.

State Represented by
The Sub Inspector of Police,
T-14 Mangadu Police Station,
Kancheepuram District.
Crime No.693 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Cr.P.C. r/w 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.693 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Velmurugan

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

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465 of IPC in Crime No.693 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that the petitioner who is ranked as A5, is that the first accused purchased the property of the defacto complainant through A2 who is the power agent of the defacto complainant, but the defacto complainant has originally mortgaged the property with A2 and also executed a power of attorney for securing the loan. After repayment of the loan amount, A2 refused to hand over the title documents and has not come forward to cancel the mortgage deed. It is further alleged that after some time, A2 joining hands with other accused sold away the property in favour of A1 suppressing the ownership, mortgage deed and repayment of loan amount. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the co-accused in this case were enlarged on anticipatory bail by this Court in CrI.O.P.No.25581 of 2025. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI Side) would submit that, investigation in this case almost completed and co-accused have been



released on anticipatory bail in Crl.O.P.No.25581 of 2025 dated 18.09.2025.

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However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side, the investigation is almost completed and the fact that the co-accused who is arrayed as accused No.1 and similarly placed with the petitioner is already granted bail by this Court. Hence, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sriperambadur**, 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 of the learned Magistrate concerned, and on further condition that:



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[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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;

[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;

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



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

11.11.2025

kmm

To

1. The Judicial Magistrate, Sriperambadur.
2. The Sub Inspector of Police,
T-14, Mangadu Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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