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CRL OP No. 29996 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29996 of 2025

V.Sankar

Petitioner(s)

Vs

The State Rep. by, The Inspector of
Police,
Central Crime Branch at CCW,
Tambaram City, Chennai - 600 119.
(Crime No. 70/2015)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS Act, 2023, praying to enlarge the petitioner on Bail in the event of his arrest in Crime No. 70 of 2015 on the file of the respondent police and pass such further or other orders and thus render justice.

For Petitioner(s): Mr.Mohan G

For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No. 70 of 2015 registered for the offences punishable under Sections 419, 465, 467, 468 r/w 417, 420 r/w 120(b) IPC against the petitioner, the present petition has been filed by the



petitioner seeking anticipatory bail.

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2.The allegation against the petitioner is that the petitioner/A1 joined hands with other accused, fabricated a general Power of Attorney issued in his favour as if executed by the deceased land owner, who is the grand mother of the defacto complainant. Further on the strength of the Power of Attorney sale deeds were executed between them. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that petitioner is innocent and he has been falsely implicated in this case. He submitted that all these transactions taken place in the year 1994 and FIR was registered in the year 2015 and the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police reported that totally 52 cents belongs to the grandmother of the defacto complainant and out of which 11 cents have been grabbed by this petitioner and other accused. She submitted that the investigation is not concluded and now only they have started the investigation and opposed for the grant of anticipatory bail to the petitioner.



5. Considering the fact that the case itself was registered in the year 2015 and it is also stated that the documents executed by the petitioner came into existence in the year 1994 and all the allegations are borne out of records, I am of the view that custodial interrogation in this regard is not necessary for investigation. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 ready, before the **learned Judicial Magistrate No.I, Tambaram**, 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 conditions:

(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 four 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

02-12-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

- 1.The State Rep. by, The Inspector of Police,
Central Crime Branch at CCW,
Tambaram City, Chennai - 600 119.
(Crime No. 70/2015)
- 2.The Judicial Magistrate No.1,
Tambaram.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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