



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.31150 of 2025

Manoharan Venkatesan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Central Crime Branch – EDF III, Team XX-B,
Vepery, Chennai – 7.
Crime No.110 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Cr.P.C. & under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.110 of 2025 on the file of the respondent police.

For Petitioner : Mr.Nachiappan

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

ORDER



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The petitioner herein, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 467, 471 r/w Section 120-B and 109 of IPC in Crime No.110 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.05.2023, the power of attorney executed by the defacto complainant in favour of the first accused, for availing a bank loan, was misused and that his property situated at Guindy, Chennai, was fraudulently sold and mortgaged for a bank loan of Rs.75,80,000/-. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is not directly connected to the sale deed or the loan transaction in question. The petitioner was then employed as a staff member who assisted only in forwarding certain bank papers or facilitating routine formalities. He had no role in the preparation, execution, registration, or misuse of any



document relating to the power of attorney of the sale deed. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl Side) would submit that the power of attorney executed by the defacto complainant in favour of the first accused, for availing a bank loan, was misused and that his property situated at Guindy, Chennai, was fraudulently sold and mortgaged for a bank loan of Rs.75,80,000/-. He would further submit that totally there are five accused in this case and petitioner is arrayed as an accused No.5. Hence, he opposed the grant anticipatory bail to the petitioner.

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

6. Considering the fact that the majority of allegation is only against the accused Nos.1 to 4, I am of the view that custodial interrogation of the



petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Metropolitan Magistrate, Egmore Court**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (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 ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix her 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 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 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 herself 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.

21.11.2025

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To

1. The Metropolitan Magistrate, Egmore Court.
2. The Inspector of Police,
Central Crime Branch – EDF III, Team XX-B,
Vepery, Chennai – 7.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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