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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 32531 of 2025

Balasubramaniam

Petitioner/A1

Vs

The State rep. by
The Inspector of Police
Nannilam Police Station,
Thiruvarur District.
(Crime No.241 of 2025)

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No.241 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham
For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 417, 420, 465, 467 and 468 of IPC in Crime No. 241 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner sold the land in favour of the de-facto complainant to the extent of 7½ cents in the year 2010 and subsequently, the de-facto complainant had also constructed a house and was residing there. While, she applied top up loan, it reveals that the land which was purchased by her is not a patta land and it is a poramboke land. Hence the complaint.

3. The learned counsel for the petitioner submits that the ancestral property of the petitioner was in possession of the family members and it was also partitioned among themselves. However, the family members failed to give the due share to the petitioner/A1's father. Subsequently, the property was sold in the year 2010 in favour of the de-facto complainant and now, the revenue department raise objection regarding the ownership of the property. The petitioner could not be responsible for cheating or any other misappropriation. He further submits that there are several documents available to support his contention to show that the petitioner is in possession of the very same property and having revenue records in his father's name. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail



to the petitioner.

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4. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submits that investigation is pending. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the fact that the property was sold in the year 2010 and it is now alleged that the property was purchased by the de-facto complainant does not belong to his vendors, to investigate the case of this case of nature, the custodial interrogation of the petitioner is not necessary, 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 fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Nannilam**, 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 condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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**



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Kerala [(2005)13 SCC 283];

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

03.12.2025

MSM

To

1.The Inspector of Police
Nannilam Police Station,
Thiruvarur District.

(Crime No.241 of 2025)

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

Crl.O.P.No. 32531 of 2025

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