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Crl.O.P.No.32695 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.32695 of 2025

K. Chandrasekar

... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
Central Crime Branch,
5th Team, Vepery,
Chennai. (Crime No.132 of 2014)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.132 of 2014 on the file of the respondent police.

For Petitioner : Mr. B. Kumarasamy

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 463, 465, 467, 468, 471, 474 and 448 r/w 120(B) of IPC in Crime No.132 of 2014 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, one Gnanasekaran/ A5 colluded with other accused, tampered the official records with some insiders in Saidapet SRO and sold the defacto complainant's property by creating a bogus document; that the specific allegation against the petitioner herein is that a sum of Rs.7,00,000/- has been transferred to the petitioner's account by A5/ Gnanasekaran. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, on the ground that he received a sum of Rs.7,00,000/- from one Gnanasekaran, who alleged to have illegally sold the defacto complainant's property by creating bogus documents; that the said Gnanasekaran had received a sum of Rs.5,00,000/- as loan from the petitioner in the year 2014 and the same was returned to



the petitioner along with the interest, apart from that the petitioner has not committed any offence as alleged by the prosecution; that the similarly placed co-accused was already granted anticipatory bail by this Court; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the petitioner is arrayed as A11 in this case; that the main accused/A5 in this case had transferred a sum of Rs.7,00,000/- to the petitioner's bank account; and that the investigation of this case is pending.

5. Considering the submissions made on both sides, facts and circumstances of this case, nature of allegation levelled against the petitioner herein, the fact that the similarly placed co-accused was already granted anticipatory bail and since custodial interrogation of the petitioner is not necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 days from the date on which the order copy made ready, before the **learned Metropolitan Magistrate, CCB & CBCID Cases, Egmore** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 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;**



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[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 Kerala [(2005)13 SCC 283]**;

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

01.12.2025

stn

To

1. The Metropolitan Magistrate,
CCB & CBCID Cases, Egmore.
2. The Inspector of Police,
Central Crime Branch,
5th Team, Vepery,
Chennai. (Crime No.132 of 2014)



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3. The Public Prosecutor,
High Court of Madras.

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