



CrI.OP.No. 32950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 32950 of 2025

A.Kumar

Petitioner/A4

Vs

The State rep. by
The Inspector of Police
CCB-Avadi City
Tiruvallur District
Crime No. 84 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 Crime No. 84 of 2025 on the file of the respondent police.

For Petitioner	: Mr.Sathiaseelan Sivanandam
For Intervenor	: Mr.N.S.Suganathan
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 420, 465, 468 and 471 of IPC, 1860 in Crime No.84 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner herein is ranked as A4 in this case. It is further alleged that A1 and A2 by impersonating the father of the de-facto complainant, executed a General Power of Attorney in favour of A2, who in turn sold the property in favour of A3 in the year 1989. Subsequently, A3 and A4 mortgaged the property and availed a loan, which was also reflected in the encumbrance certificate. The de-facto complainant, who is the son of the original owner, came to know about the encumbrance caused in the property and immediately, he lodged a complaint.

3. The learned Counsel for the petitioner/A4 submits that the alleged transactions relating to the impersonation and execution of the sale deed taken place in the year 1989 and at the time of transactions, he was a minor and could not be added as an accused in this case. He further submits that the petitioner being the son of A3 was also added as a co-borrower in the loan transaction and had no knowledge of the fraud committed by A1 and A2. The learned Counsel also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court.



4.Mr.N.S.Suganthan, learned Counsel for the Intervener/De-facto

Complainant submits that the petitioner is also aware of the fact that A3 has not purchased the property and based on the fabricated documents they mortgaged the property, thereby creating an encumbrance over the property and he opposed for grant of anticipatory bail to the petitioner.

5..The learned Government Advocate (Criminal Side) appearing for the respondent, reiterated the prosecution case and submits that there are four accused involved in this case and the petitioner is arrayed as A4. He further submitted that investigation is pending. He opposed for grant of anticipatory bail to the petitioner.

6.Considering the fact that the alleged transaction of fabrication of Power of Attorney and sale deed was taken place in the year 1989 and the petitioner herein was a minor at the time of the transaction, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial**



Magistrate No.I, Poonthamalli, 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 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 themselves 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.

04.12.2025

MSM
To

1.The Judicial Magistrate No.I, Poonthamalli.

2.The Inspector of Police
CCB-Avadi City
Tiruvallur District
Crime No. 84 of 2025

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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