



CRL OP(MD).No.10156 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10156 of 2025

M.Mohamed Asan,
S/o.Mohamed Ali

.. Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
District Crime Branch,
Pudukottai,
Pudukottai District.
(Crime No.4 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.N.Kamesh,
Advocate.

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.4 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 30.04.2025 for the offences punishable under Sections 417 and 420 of IPC in



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Crime No.4 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner executed a sale agreement in favour of the de-facto complainant, falsely representing himself as the sole owner of the properties, while concealing the fact that there were other co-sharers. Originally, the patta for the said properties is a joint patta standing in the names of five persons, excluding the petitioner. Without having any right over the said properties, the petitioner executed the sale agreement with the intention to cheat the de-facto complainant and thereby received a total sum of Rs.36,00,000/- from her. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and has not committed any offence as alleged by the prosecution. However, the petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 30.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is the sole accused in this case, and that the actual owners of the properties are the petitioner's family members, and the petitioner has no ownership rights over the said properties. However, the petitioner created a false impression as though he was the owner and received a sum of Rs.36,00,000/- from the de-facto



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complainant. He is now neither willing to execute the sale deed nor to return the amount received. Hence, he opposed the grant of bail to the petitioner.

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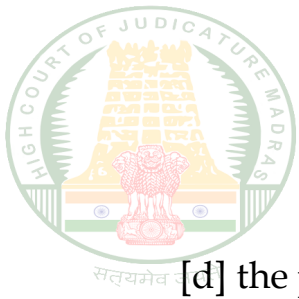
5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the dispute appears to be civil in nature, and that the petitioner has been in incarceration since 30.04.2025, and that by this time, most of the investigation might have been completed, this court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Pudukottai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.II, Pudukottai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Pudukottai;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.



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[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-

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Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.II,
PUDUKOTTAI.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, PUDUKOTTAI.



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4. The Inspector of Police,
District Crime Branch,
Pudukottai,
Pudukottai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10156 of 2025
Date :20/06/2025

MK/20.06.2025 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023