



WEB COPY

CRL OP No. 2424 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2424 of 2026

Pushparaj

..Petitioner(s)

Vs

State Rep. by The Inspector of Police

Kandili Police Station,

Thirupathur District. (Crime.No.232/2025)

..Respondent(s)

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 in Crime.No.232/2025 pending investigation on the file of the respondent.

For Petitioner(s): Mr.E Kannadasan

For Respondent(s): Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 464 of IPC, in Crime No.232 of 2025, on the file of the respondent Police, seeks anticipatory



bail.

2.The allegation against the petitioner is that the petitioner is the paternal uncle of the defacto complainant and it is alleged that the petitioner's mother was having some lands and the petitioner, fabricating Power of Attorney in the year 2008 had sold the lands belongs to his mother in the year 2010, 2012 and 2013 respectively and thereby swindled the land belongs to the defacto complainant's grand mother. Hence, the case.

3.The learned counsel for the petitioner submitted that the alleged offence said to have taken place as early as in the years 2010, 2012 and 2013 respectively and it is not fabricated documents and it was executed by the grand-mother with full consent, then the sale deed was also executed and hence there is no cheating as alleged in the FIR and prays to grant anticipatory bail.

4.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that the FIR was registered only very recently and the investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.Considering the nature of the allegations and the fact that all the transactions have taken place prior to the year 2013 and to investigate the case



of this nature, custodial interrogation of the petitioner is not necessary, therefore this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Thirupattur*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 appear before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**
- (c) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (d) the petitioner shall not abscond either during investigation or trial;
- (e) 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03-02-2026

GBI

To

- 1.State Rep. by The Inspector of Police
Kandili Police Station,
Thirupathur District. (Crime.No.232/2025)
- 2.The Judicial Magistrate No.II, Thirupattur.
- 3.The Public Prosecutor,
High court of Madras.



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K.RAJASEKAR, J.

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