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CRL OP No. 5342 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5342 of 2026

1. V. Kailasam
S/o. Veatumperumal
No.9/4, 3rd Layout,
Vanasakthi Nagar, Extension,
Kolathur,
Chennai - 600 099.
2. K.Jagan
S/o. V. Kailasam
No.9/4, 3rd Layout,
Vanasakthi Nagar, Extension,
Kolathur,
Chennai - 600 099

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
Avadi City CCB,
Avadi.
(Ref. Crime No.117/2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioners 1 to 2/ Accused 1 to 2 on Anticipatory in the event of his arrest pending investigation in Cr.No.117/2025 on the file of the Respondent Police.

For Intervener:

Mr.G.Nithyakumar

For Petitioner(s):

Suresh J

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)



ORDER

The petitioners apprehend arrest for the alleged offence under Sections 406 and 420 of IPC in Crime No.117 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the dispute between the parties revolves around a land transactions in connection with the execution of a Power of Attorney. It is alleged that the accused persons, by taking advantage of the said Power of attorney, had dealt with the property in question illegally. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted the investigation in this case is pending and there is no previous cases pending against the petitioners. Hence, opposed to grant anticipatory bail to the



petitioners.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Since the intervener filed an application stating that he has compromised the issue with the petitioner and has also filed an intervening petition in Crl.M.P.No.4435 of 2026.

7. The entire issue revolves around the land dispute in connection with the execution of the power of attorney. The 1st accused is aged about 75 years and the 2nd accused is aged about 46 years. The FIR was registered on 25.11.2025.

8. Considering the factual position and nature of the allegations against the petitioner, this Court is of the view that custodial interrogation of the petitioners is not necessary in this matter. Apart from that, the learned counsel for the intervener has also filed an intervening application stating that the issue has been compromised with the petitioner.

9. In such view of the position, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.



10. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Poonamallee**, on condition that **the petitioners shall execute 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 Magistrate concerned, and on further conditions:

(a) If the petitioners fail to surrender before the concerned learned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as



laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

11-03-2026
(2/2)

MPA

To

1. The Judicial Magistrate No.I, Poonamallee.

2. The Inspector of Police,
Avadi City CCB,
Avadi.
(Ref. Crime No.117/2025)

3. The Public Prosecutor
High Court of Madras,
Chennai.



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C.KUMARAPPAN, J.

MPA

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