



WEB COPY

CRL OP No.6991 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.6991 of 2026

Bharath Kumar
S/o.Duraipandian,
2/124, Pillayar Kovil Street,
MA Nagar,
Padianallur,
Tiruvallur - 600 052.

...Petitioner/Accused

Vs

State rep. by,
Inspector of Police,
CCB Police,
Avadi Commissionarate,
Avadi.

...Respondent

Prayer : Criminal Original Petition filed under Section 438 of Cr.P.C./482 of BNSS, to grant anticipatory bail to the petitioner in Crime No.3 of 2026 on the file of the CCB, Avadi City, in the event of arrest.

For Petitioner : Mr.S.Shashank

For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

For Intervenor : Mr.P.Chandrasekar



ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 419, 420, 465, 468 and 471 of the IPC in Crime No.3 of 2026**, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A4, along with other accused, allegedly sold the plot of the *de-facto* complainant by way of the forged documents. Hence, the case.

3. Heard the submission made by the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) as well as the learned counsel for the intervenor and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner is only a witness in a document and he has not at all been involved in any offence as alleged by the prosecution.

5. At this juncture, the learned Government Advocate (Crl.Side), appearing for the respondent, would submit that A2 is an impersonator and he has executed a document in favour of A1, in which, this petitioner/A4 stood as a witness and received a sum of Rs.3,00,000/- (Rupees Three Lakhs Only). This factum was seriously disputed by the learned petitioner's counsel.



6. At this juncture, Mr. P. Chandrasekar, the learned counsel for the intervenor, would intervene and reiterate the submissions made by the learned Government Advocate (Crl.Side) and would submit that this petitioner had received Rs.3,00,000/- (Rupees Three Lakhs Only) and on receipt knowing fully well about the impersonation, has attested.

7. At this juncture, the learned counsel for the petitioner/A4 would rely upon the directions issued by this Court in Crl.O.P.No.30124 of 2025 dated 11.11.2025 and based upon the above directions, summons were issued and would further submit that the petitioner would cooperate with the investigation.

8. Taking into consideration of the totality of the circumstances and the role played by the petitioner, this Court is of the firm view that, in these nature of the cases, no custodial interrogation is required. In such view of this position, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions:

9. 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 on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Poonamallee**, 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 conditions:

(a) If the petitioner fails to surrender before the concerned 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 petitioner shall report before the learned respondent police, twice a day at 10.30 a.m., and 5.30 p.m., for a period of 45 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18-03-2026

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To

1. The Judicial Magistrate No.1,
Poonamallee.
2. The Inspector of Police,
CCB Police,
Avadi Commissionarate,
Avadi.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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