



WEB COPY

CRL OP No. 7378 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7378 of 2026

Anand

..Petitioner(s)

Vs

The State Rep By The Inspector of Police
T.6, Avadi police Station, Thiruvallur
District(Crime No.49 of 2026)

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, pleased to enlarge the petitioner /Accused on bail in Crime No.49/2026 on the file of the respondent /Complainant and pass orders or any other orders.

For Petitioner(s):	Mr.S. Anbarasan
For Respondent(s):	Mr.S.Vinoth Kumar Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.02.2026 for the alleged offences under Section 316 (2), 318 (4) of BNS, 2023, (407, 420 of I.P.C, 1860), in Crime No.49 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant approached the petitioner and the other accused to mortgage her property for her daughter's marriage. The accused agreed to provide a loan of Rs.5,00,000/- against the mortgage; However, instead of executing a mortgage deed, they allegedly executed a sale deed in favour of a third party. Hence the case.



3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 02.02.2026. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and further submitted that petitioner is only a broker and the main overt act is alleged against the other accused. He submitted that the petitioner has no previous cases. Hence, he opposed for grant of bail to the petitioner.

5.Taking into consideration the nature of the allegations, the fact that the petitioner has been in custody since 02.02.2026, the absence of any serious overt act attributed to the petitioner and the fact that the petitioner has no bad antecedents, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Poonamallee**, and subject to the following conditions:



[a] 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;

[b] the petitioner shall report before the respondent police in the morning at 10.30 AM and evening at 5.30 PM for a period of two weeks; thereafter as and when required;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



C.KUMARAPPAN, J.

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To

1.The Judicial Magistrate, Poonamallee.

2.Puzhal – 11,
Chennai.

3.The Inspector of Police
T.6, Avadi police Station,
Thiruvallur District

4.The Public Prosecutor
High Court of Madras.

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