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Crl.O.P.No.8328 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8328 of 2026

Krishnakumar

... Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Tambaram CCB Team-III,
Tambaram.
(Crime No.68 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to the petitioner in the event of his arrest in Crime No.68 of 2026 on the file of the respondent Police.

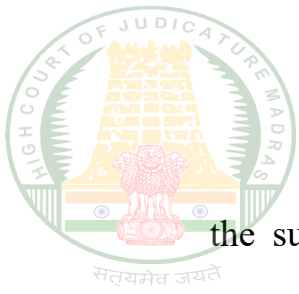
For Petitioner : Mr.R.John Sathyan,
Senior Counsel for Mr.R.Kalaikumar

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

For Intervener : Mr.R.Karthick

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 409, 420, 465, 467, 468, 471 and 34 of IPC in Crime No.68 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the de facto complainant purchased the subject property at Salamangalam Village, Sri Lakshmi Nagar–III, Plot No.217, comprised in S.No.223/5, measuring 4325 sq.ft., under Sale Deed Document No.9403 of 2014 dated 01.09.2014 from Mrs. Parvatham. It is alleged that the original owner, Varadhammal, had died in 1971, but the property was subsequently dealt with and sold through her alleged power agent and successive transactions, ultimately reaching various purchasers. According to the prosecution, since such transactions were effected even after the death of the original owner, the accused have committed the alleged criminal offences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.



5. From the submissions made by the learned counsel appearing on either side, it is seen that the entire issue revolves around the property originally belonging to the said Varadhammal. It is also seen that the petitioner had purchased the property during the period between 2002 and 2012 and, even prior thereto, the property had been in the hands of his predecessors-in-title and, thereafter, in the hands of subsequent purchasers. Thus, over a period of time, several persons have dealt with the property as owners. However, the only allegation against the petitioner is that he had held the property for a certain period and, on that basis, he has been arrayed as an accused in the present case.

6. On the other hand, the learned counsel for the intervener would submit that the petitioner, along with the other accused, had hatched a criminal conspiracy and cheated the de facto complainant by projecting the property as belonging to them. Considering the totality of the circumstances, this Court is of the view that the entire dispute appears to be civil in nature and revolves around title to the property. Further, the First Information Report came to be registered on 14.03.2026 and, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on 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-I, Kancheepuram** 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 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 petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks 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



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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.

10.04.2026

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To

- 1.The Judicial Magistrate-I, Kancheepuram.
- 2.The Inspector of Police,
Tambaram CCB Team-III,
Tambaram.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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