



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13330 of 2026

Gopal

..Petitioner(s)

Vs

The State Rep. By,
The Inspector of Police,
CCB Tambaram Police,
Kancheepuram District.
Crime No.08 of 2025.

..Respondent(s)

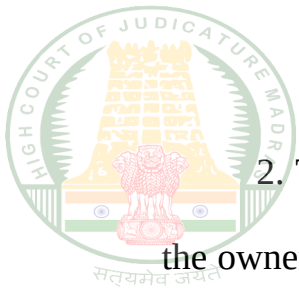
Prayer: Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.08 of 2025 on the file of the Respondent.

For Petitioner(s): Mr.G.Mageshkumar

For Respondent(s): Ms.R.S.Indira
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.04.2026 for the alleged offences under Sections 419, 420, 465, 467, 468, 471 of IPC, in Crime No.08 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the de facto complainant is the owner of the property measuring 1,625 sq.ft., and that A1, by impersonating the de facto complainant, executed a power of attorney in favour of A2. Thereafter, A2 allegedly sold the property to A3, who in turn executed a power of attorney in favour of the petitioner. It is further alleged that the petitioner subsequently sold the property to A5.

3. The learned counsel for the petitioner submitted that the petitioner has been in judicial custody since 17.04.2026. It was further contended that the petitioner had not impersonated any person and had merely purchased the property from his vendor. Therefore, according to the learned counsel, the petitioner cannot be implicated as an accused in the case and is, in fact, a victim of the alleged transaction. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, while reiterating the prosecution case, strongly opposed the grant of bail on the ground that except the petitioner, all other accused are absconding, and that if the petitioner is enlarged on bail, it would prejudice the case of the prosecution.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side.



6. While looking into the factual position, it is seen that the de facto complainant was originally impersonated by A1 in the year 2019, and the petitioner came into the transaction only in the year 2021, when he executed the sale deed in favour of A5. As rightly contended by the learned counsel for the petitioner, this petitioner had not initially impersonated the original owner. Taking into consideration the totality of the circumstances and the fact that the petitioner has been in incarceration since 17.04.2026, this Court is of the firm view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on executing 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 Judicial Magistrate-I, Tambaram, 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 everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;



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[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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Index: Yes/No

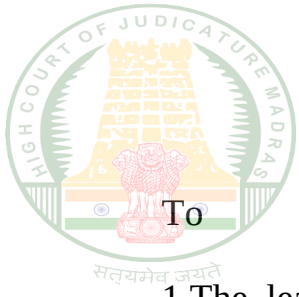
Speaking/Non-speaking order

Neutral Citation: Yes/No

dpa

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.



To

- 1.The learned Judicial Magistrate-I, Tambaram.
- 2.The Superintendent, Sub-Jail, Kancheepuram.
- 3.The The Inspector of Police, CCB Tambaram Police, Kancheepuram District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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