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CrI.O.P.No.13611 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

CrI.O.P.No.13611 of 2026

Alexander

... Petitioner

Vs.

State of Tamil Nadu represented by
The Inspector of Police,
CCB-I, Chennai.
(Crime No.262 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner's
anticipatory bail in the event of his arrest in Crime No.262 of 2023 pending
investigation on the file of the respondent police.

For Petitioner : Mr.A.M.Asokan

For Respondent : Mrs.R.S.Indira,
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 406 and 420 r/w 34 of IPC
in Crime No.262 of 2023, on the file of the respondent Police, seeks
anticipatory bail.

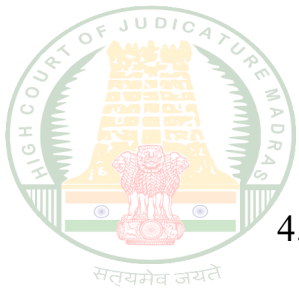


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2. The case of the prosecution is that the petitioner received money from the de facto complainant's father in the year 2012 for transferring certain properties. Thereafter, for nearly eight years, the accused neither transferred the properties nor returned the money to the de facto complainant. In this connection, a complaint came to be registered in the year 2023. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner, along with the other accused (A1 to A5), had preferred an anticipatory bail in CrI.O.P.No.29815 of 2025 dated 23.04.2025, in which all the other accused (A2 to A5) were enlarged on bail except the present petitioner (A1). He further submitted that, in respect of the very same properties, there are three FIRs and in one such FIR, the petitioner was already arrested by the police, which fact was not brought to the notice of this Court and therefore this Court dismissed the application insofar as the petitioner is concerned. Hence, he prayed for grant of anticipatory bail to the petitioner.

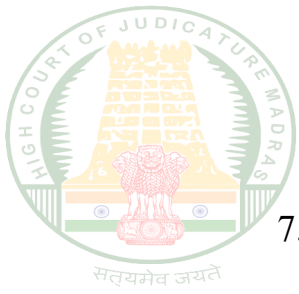


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4. At this juncture, the learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application and would contend that two previous cases are pending against the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsels on either side and perused the materials available on record.

6. While perusing the earlier order dated 23.04.2025, there is a clear finding that custodial interrogation of this petitioner is required. At this juncture, the learned counsel for the petitioner would contend that, in Crime No.44 of 2023, he was remanded to judicial custody on 17.12.2023 itself. Therefore, further custodial interrogation in the present case is not required and the said fact was not brought to the notice of this Court when the earlier bail application was moved. The factum of earlier remand in the connected case is admitted. Therefore, this Court is of the firm view that custodial interrogation in the present FIR is not essential at this length of time, especially when the FIR came to be registered in the year 2023. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, 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 **Metropolitan Magistrate Court for Metro Cases of CBCID and CCB Cases at Egmore, Chennai**, 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 twice a day at 10.30 a.m. and 05.30 p.m. until further orders;**



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(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.

05.06.2026

cda

To

- 1.The Metropolitan Magistrate Court
for Metro Cases of CBCID and
CCB Cases at Egmore, Chennai.
- 2.The Inspector of Police,
CCB-I, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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