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Crl.O.P.No.13491 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13491 of 2026

Muthu

... Petitioner

Vs.

State rep. By,
The Inspector of Police,
CCB, Land Grabbing Wing-III,
Avadi,
Chennai – 600 054.
(Crime No.42 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.42 of 2026 pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.N.Arunkumar

For Respondent : Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

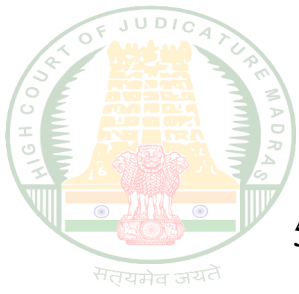
The petitioner apprehends arrest for the alleged offences under Sections 420, 465, 468 and 471 of IPC in Crime No.42 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that one Andalammal executed general Power of Attorney appointing Periyannan in 1991, on the strength of general Power of Attorney, Periyannan had executed a sale deed in favour one Babu. In turn, the said Babu executed general power of attorney to Ganesan, the said Ganesan executed the sale deed in favour of the defacto complainant namely Suresh Kumar in the year 2007. Subsequently, the legal heirs of Andalammal executed General Power of Attorney in favour of Logavathi, in turn, she has executed sale deed in favour of Rajan. The said Rajan executed in favour of Pradeep Reddy by creating fabricated documents. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is 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.



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5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel appearing on either side and the materials available on record, it is seen that, according to the prosecution, the petitioner had cheated the de facto complainant. However, the learned counsel appearing for the petitioner would submit that the petitioner is only an attesting witness to the document registered as Document No.75 of 1991 and that no specific overt act has been attributed to him. On the other hand, the learned Government Advocate (Criminal Side) opposed the petition by contending that the petitioner had received a sum of Rs.20 lakhs in connection with the transaction. At this juncture, the learned counsel for the petitioner submitted that the co-accused has already been granted anticipatory bail by this Court in Crl.O.P.No.11876 of 2026, by order dated 13.05.2026. Considering the totality of the circumstances and taking note of the fact that the occurrence relates back to the year 1991 and that the co-accused has already been granted anticipatory bail, this Court is of the considered view that, 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 Court-II, Ponneri** 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 30 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



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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.

04.06.2026

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To

- 1.The Judicial Magistrate Court-II, Ponneri.
- 2.The Inspector of Police,
CCB, Land Grabbing Wing-III,
Avadi,
Chennai – 600 054.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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