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Crl.O.P.No.35750 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.35750 of 2025

R.Mohanraj

... Petitioner

Vs.

The State

Rep by Inspector of Police,

Avadi CCB,

Chennai.

... Respondent

(Crime No.119 of 2025)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.119 of 2025 on the file of the respondent police.

For Petitioner : Mr.Hari Ramasubramanian

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Thamaraiselvan

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 420, 465, 468 and 471 of IPC in Crime No.119 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is ranked as A11 in this case and that he purchased the property from A7 to A10 by way of sale deed dated 11.03.1992. It is alleged that the original owner Raniammal



and her legal heirs were in possession and enjoyment of the property.

However, A1 by colluding with A2 to A5, fabricated a fake patta, and on the strength of the same they executed sale deed in favour of A2 to A5 on 19.09.1985 and they in turn sold the property to A6 company, and the petitioner purchased the same from the A6 company. Hence the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is only a bonafide purchaser who has been in possession and enjoyment of the property since 1992, and that a false complaint has been lodged alleging that the defacto complainant to be the owner of the property. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor strongly opposed to grant anticipatory bail to the petitioner and submitted that huge value of the property has been grabbed by A1 to A11 in this case.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the investigation in this case is still pending and so far no one is arrested and A1 to A4 in this case already died. Hence, he opposed to grant anticipatory bail to the petitioner.

6. Considering the fact that the petitioner has purchased the property in the year 1992 by way of registered sale deeds and further alleged that



fabrication of records and other sale deeds were taken place prior to 1985, I am of the view that custodial interrogation is not necessary for the purpose of investigation. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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 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;

K.RAJASEKAR, J.

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(c) The petitioner shall report before the respondent Police everyday 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 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.

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To

- 1.The Judicial Magistrate-1, Kancheepuram.
2. The Inspector of Police, Avadi CCB, Chennai.
- 3.The Public Prosecutor, High Court of Madras.

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