



WEB COPY

CRL MP No. 6435 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP No. 6435 of 2026

and

CRL OP No. 29549 of 2025

S.Shanmugam

..Petitioner(s)

Vs

1. B.Shaffi

2. B.Ismail

3. The State rep by, The Inspector of Police
District Crime Branch,
Krishnagiri District.
(Crime No.16 of 2025)

..Respondent(s)

Prayer: This petition filed under Section 528 of BNSS, 2023, to Cancel the Anticipatory Bail granted to Respondent 1 and 2 by this Court vide order dated 05.11.2025 in CrI.O.P.No.29549 of 2025.

For Petitioner(s):

Mr. K.M.Subrahmaniam

For Respondent(s):

Mr.N.Palanivel,

Government Advocate (CrI.Side) for R3

Mr. P.M.Jayachandran for R1 and R2

ORDER

The present Criminal Original Petition has been filed seeking cancellation of the anticipatory bail granted to the first and second respondents in CrI.O.P. No.29549 of 2025 dated 05.11.2025 passed by this Court.



2. Heard the learned counsel appearing on either side and perused the materials available on record.

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3. The learned counsel for the petitioner would submit that while filing the anticipatory bail proceedings the first and second respondents deliberately suppressed the fact that they had already given a statement before the Police agreeing to cancel the Document No.15258 of 2023 and had not been brought to the notice of this Court and that the said factual aspect is seriously disputed by the petitioner. In this regard, the learned counsel placed reliance upon the order dated 16.09.2025 passed in W.P.(Crl.) No.220 of 2025, which had been filed by the petitioner/de facto complainant, wherein the respondents 1 and 2 herein were arrayed as respondents 6 and 7. Inviting the attention of this Court to paragraph No.7 of the said order, the learned counsel would submit that the learned Additional Public Prosecutor appearing for respondents 1 to 3 therein had submitted that, according to the prosecution, respondents 1 and 2 had committed impersonation. According to the learned counsel, the said factual aspect had not been brought to the notice of this Court while considering the anticipatory bail petition.

4. Though such submissions were made, as rightly contended by the learned counsel appearing for the respondents 1 and 2, the said submission was made by the learned Additional Public Prosecutor and not by the learned



counsel appearing for respondents 6 and 7 therein, namely, respondents 1 and 2 herein. Therefore, the contention of the learned counsel for the petitioner that there was misrepresentation on the part of respondents 1 and 2 herein cannot be accepted.

5. In such view of the matter, this Court does not find any ground to cancel the anticipatory bail already granted to the first and second respondents. Accordingly, this Criminal Miscellaneous Petition stands dismissed. However, considering the fact that the petitioner/de facto complainant is aged about 82 years and that the crime is of the year 2025, the third respondent Police is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order.

28-07-2026

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To

1. The State rep by, The Inspector of Police
District Crime Branch,
Krishnagiri District.

2. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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