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CRL OP Nos. 17343 & 17344 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos. 17343 & 17344 of 2026

M.Ramesh

..Petitioner in
Crl.OP.No.17343/2026

S.Amose Sugin Prakash

..Petitioner in
Crl.OP.No.17344/2026

Vs

State by, The Inspector of Police,
Central Crime Branch,
Tambaram.

.. Respondent in
both Crl.OPs.

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Cr.No.113 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.N.R.Elango, Senior Counsel for
Mr.R.Thomas
(in both Crl.OPs.)

For Respondent(s): Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side)
(in both Crl.OPs.)

For Intervener : Mr.M.Kamala Kannan
(in both Crl.OPs.)



COMMON ORDER

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The petitioners/A3 & A2 were arrested and remanded to judicial custody on 20.05.2026 for the alleged offence under Sections 420, 465, 468 and 471 of IPC, in Crime No.113 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners/A1 and A2 created forged documents in respect of the subject property and that the petitioner No.3 had conspired with them in the commission of the alleged offence. Hence, the case.

3. The learned Senior Counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution. He further submitted that the alleged occurrence took place on 11.01.2021, whereas the FIR came to be registered on 04.05.2026. According to the learned counsel for the petitioners, the only allegation against the petitioners is that they received the Power of Attorney executed by A1, while the alleged fabrication of documents and impersonation are attributed solely to A1. He further submitted that the petitioners have been in judicial custody since 20.05.2026, their further custodial interrogation is not required, and that the counsel appearing for the intervener is also representing A1 namely M/s.Subhashini which casts doubt on



the prosecution case. Hence, he prays for grant of bail to the Petitioners.

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4. The learned counsel appearing for the intervener strongly opposed the bail application and submitted that the subject property absolutely belongs to the intervener's principal. He submitted that the accused, by fabricating a legal heir certificate and impersonating themselves as the legal heirs of the original owner, created the disputed documents. Therefore, if released on bail, the petitioners are likely to interfere with the investigation and tamper with the evidence. Hence, he prayed for dismissal of the bail application.

5. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioners have no previous criminal antecedents. However, he opposed the grant of bail to the Petitioners.

6. I have given my anxious consideration to either side submissions and perused the materials available on record.

7. From the submissions made by the learned counsel on either side and the totality of the circumstances, this Court finds that the alleged occurrence took place on 11.01.2021, whereas the FIR came to be registered only on 04.05.2026. A perusal of the FIR shows that, though omnibus allegations have



been made against the petitioners, the specific allegation against them is that they received the Power of Attorney from A1. It is also relevant to note that, the learned counsel appearing for the intervener issued legal notice on behalf of the first respondent, to the petitioners. Therefore, the apprehension raised by the petitioner requires to be viewed with caution. Further considering the fact that the petitioners have been in judicial custody since 20.05.2026, in the above backdrop their further custodial interrogation is not required for the purpose of investigation. In such circumstances, this Court is inclined to enlarge the petitioners on bail, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Alandur**, and on further conditions that:

[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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;



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[d] the petitioners 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 pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

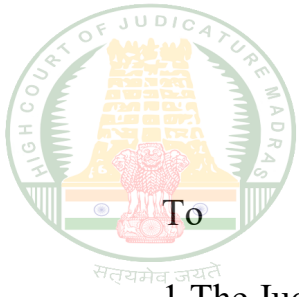
08-07-2026

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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 Judicial Magistrate,
Alandur.

2. The Inspector of Police,
Central Crime Branch,
Tambaram.

3. The Superintendent,
Prison I, Puzhal.

4. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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