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Crl.O.P.No.17797 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.17797 of 2026

1.Ramar
2.Thirukeswari
3.Vidhya
4.Sathya

... Petitioners

Vs.

The State Rep. by
The Inspector of Police,
Devala Police Station,
The Nilgiris District.
Crime No.117 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.117 of 2026 pending on the file of the respondent police.

For Petitioners : Mr.A.Praveen Kumar

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

ORDER

The petitioners were apprehend arrest for the alleged offence under Sections 465, 468, 471 and 417 of IPC and Section 12(1)(b) of the Passports Act, 1967, in Crime No.117 of 2026 on the file of the respondent police seeks anticipatory bail.

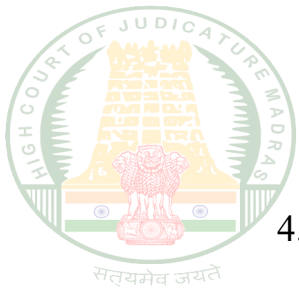


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2. The learned counsel for the petitioners submitted that the first petitioner has already submitted a representation to the Government seeking citizenship on the ground that he has been residing in India for more than 20 years. In this regard, he filed a writ petition in W.P.No.15259 of 2026, wherein this Court, by order dated 22.04.2026, directed the Foreigners Regional Registration Officer (FRRO), Bureau of Immigration, Ministry of Home Affairs, Government of India, Chennai (second respondent in W.P.No.15259 of 2026), to consider the representation of the first petitioner. This Court also directed that no coercive steps shall be taken against the first petitioner and his family members. He further submitted that, despite the said order, the present FIR came to be registered on 02.07.2026 in respect of an occurrence alleged to have taken place on 01.01.2026. Hence, he prayed for grant of anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail and submitted that the petitioners have been overstaying in India. He further submitted that the present FIR has been registered on the allegation that the petitioners had obtained documents such as Ration Card, Aadhaar Card, Voter ID Card, PAN Card and other identity documents by producing fabricated documents.



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4. Though the allegations are serious in nature, considering the fact that the first petitioner's representation is pending before the Government and that this Court, by order dated 22.04.2026 in W.P.No.15259 of 2026, directed that no coercive steps shall be taken against the first petitioner and his family members, this Court is of the firm view that, at this length of time, the custodial interrogation of the petitioners is not required for the purpose of investigation. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions:

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Pandhalur**, on condition that the **petitioners shall execute a separate 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 petitioners 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;



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(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 first petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks, and thereafter, as and when required for interrogation;

(d) The second, third, and fourth petitioners shall report before the respondent police as and when required for interrogation;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;



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(f) If the petitioners thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS Act.

09.07.2026

cda

To

- 1.The Judicial Magistrate, Pandhalur.
- 2.The Inspector of Police,
Devala Police Station,
The Nilgiris District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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