



WEB COPY

CRL OP No. 19504 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19504 of 2026

Dhayalan
S/o. Mani,
No.34, VOC Street,
Madhavaram, Tiruvallur,
Tamil Nadu-600 060.

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police,
Forgery Investigation Wing,
Beta-9, Central Crime Branch-II,
Vepery, Chennai-600 007.
Ref.Crime No.68 of 2026.

..Respondent(s)

PRAYER:

This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the Petitioner/Accused No.2 on Anticipatory bail in **Crime No.68 of 2026** on the file of the Respondent Police registered for the offences under Sections 212, 236, 3(5), 318(4), 336(2), 336(3), 338, 340(2)of the Bharatiya Nyaya Sanhita, 2023, and thus render Justice.

For Petitioner(s): Mr. Suresh J

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)
MR.T.PON SUYAMBU VINAYAHAM FOR
INTERVENOR



ORDER

The petitioner apprehends arrest for the alleged offences under Sections **3(5), 212, 236, 318(4), 336(2), 336(3), 338 & 340(2) of the Bharatiya Nyaya Sanhita, 2023** in **Crime No.68 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the accused persons created encumbrances on the de facto complainant's property, based on which the present complaint was registered.

3. Learned counsel for the petitioner submitted that A6 had already given an undertaking before the Court to cancel the sale deed which stands in her name and in this regard, she sought four weeks time in Crl.M.P.No.13913 of 2026 in Crl.O.P.No.18905 of 2026.

4. At this juncture, the learned counsel for the petitioner would submit that the settlement deed No.2574 of 2025 dated 12.04.2025 executed by this petitioner before the Sub Registrar, Madhavaram would also be cancelled within a period of four weeks. In such view of the above circumstances, the



petitioner by referring his age as 68 years, seeks for anticipatory bail, which factum is not seriously disputed by the learned counsel appearing for the Intervenor.

5. The learned counsel for the intervenor submitted that if A6 (the petitioner in Crl.O.P.No.18905 of 2026) is cancelling the sale deed executed in her name, the entire dispute stands resolved.

6. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

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

8. Therefore in view of the above submissions and taking into consideration of the age of the petitioner nearly 68 years old, the custodial interrogation of the petitioner is not required. Hence this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. 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, Poonamallee** on condition that **the petitioner shall execute a 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 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 slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(c) The petitioner shall cancel the Settlement Deed bearing Document No.2574 of 2025, dated 12.04.2025, executed by him and registered before the Sub-Registrar, Madhavaram, within a period of four weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically cancelled;

(d) **The petitioner shall report before the respondent police as and when required for interrogation;**



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(e) 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 is 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]***;

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

06-08-2026
(1/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA

To

1. The Judicial Magistrate I, Poonammalle.

2. The Inspector of Police,
Forgery Investigation Wing,
Beta-9, Central Crime Branch-II,
Vepery, Chennai-600 007.

3. The Public Prosecutor,
High Court, Chennai.



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C.KUMARAPPAN, J.

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