



CRL OP(MD). No.14661 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

CRL OP(MD)No.14936 of 2026

Duraipandi

... Petitioner / Sole Accused

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Periyakulam Police Station,
Theni District.
(Crime No.348 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner on bail in the event of arrest in Crime No.348 of 2026 on the file of the respondent police, or on his appearance.

For Petitioner	:	Mr.B.Jeyakumar
For Respondent	:	Mr.J.Vishnu Government Advocate (Criminal Side)
For Intervener	:	M/s.M.Meenatchi



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest in connection with Crime No.348 of 2026 on the file of the respondent police, registered for the offence punishable under Sections 305(a) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, seeks the relief of anticipatory bail.

2. The allegation against the petitioner is that, taking advantage of the absence of the family members during a death ceremony, he removed the original title deeds and other property documents belonging to the family and retained them in his possession. It is further alleged that, when questioned by the defacto complainant, the petitioner criminally intimidated the family members with dire consequences. Based on the said allegations, the present case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the dispute between the parties is purely civil in nature, arising out of a family property dispute. He further submitted that a family arrangement had already taken place between the parties and that the petitioner also

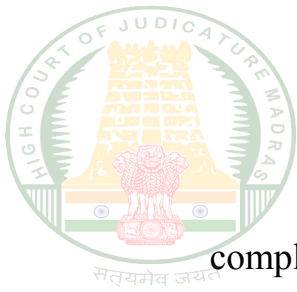


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has a share in the properties in question. According to the learned counsel, the original documents had been entrusted to the family members and they had been in possession of the properties for more than 40 years. He further submitted that the allegations are false and that the petitioner is ready and willing to cooperate with the investigation. It was also submitted that the petitioner is prepared to produce the original documents before the Investigating Officer or the jurisdictional Court, as and when required. Accordingly, he prayed for the grant of anticipatory bail.

4. Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the investigation is still in progress and that the original property documents have not yet been recovered. He further submitted that, by taking advantage of the absence of the family members during the death ceremony, the petitioner removed the original documents and retained them. Therefore, he opposed the grant of anticipatory bail.

5. The learned counsel for the intervener submitted that the defacto



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complainant had come to know about the missing original documents nearly four months prior to the registration of the complaint. It is further stated that, after making enquiries with various family members, the defacto complainant came to know that the original documents were allegedly in the possession of the petitioner, who is the son-in-law of the defacto complainant's brother. Thereafter, the present complaint came to be lodged. Accordingly, she opposed the grant of anticipatory bail.

6. This Court has carefully considered the rival submissions and perused the materials available on record.

7. Considering the allegations and the counter allegations, the fact that civil proceedings are pending between the parties in respect of the properties, the petitioner's claim that he has a share in the properties, and his submission that he is ready to produce the original documents as and when required, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in



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the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Periyakulam, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate



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action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

21.07.2026

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To

- 1.The Judicial Magistrate,
Periyakulam.
- 2.The Inspector of Police,
Periyakulam Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. RAJASEKAR,J.

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ORDER
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