



CRL OP NO. 1208 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1208 of 2025

P Anbazhagan
S/o. Poovan, No. 2, 16th street, Nehru Colony, Nanganallore,
Pazhavanthangal, Chennai

Petitioner(s)

Vs

The State Rep By Inspector Of Police
The Ccb Iii Land Frand Investigation Wing -ii, Gamma-
06,Vepery, Chennai and another

Respondent(s)

For Petitioner(s):

Praveen S
V. Chandrakanthan
A.K. Nandhini
Dhanyasri Talluri
A. Nithish Vikram

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 467, 468, 471 r/w 34 of IPC in Crime No.223 of 2024, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution as per the defacto complainant one Malathi is that

second wife of the petitioner's brother one Ramalingam lodged a complaint against the

petitioner herein and his wife one Murugaveni stating that, the petitioner had grabbed a land,

which originally belongs to her husband Ramalingam. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner herein is the

brother of the said Ramalingam, who got married with one Sumathi. He also submitted that

the petitioner had entered into an agreement with the said Sumathi to buy her land, but, due to

matrimonial dispute and she did not execute the sale and Sumathi left her matrimonial home.

Therefore, the petitioner filed a suit in O.S.No.228 of 2008 praying for specific performance

which was decreed in favour of the plaintiff and the sale deed was executed in the year 2010.

However, the said Ramalingam filed a suit in O.S.No.153 of 2009, seeking issuance of Death

Certificate of said Sumathi, by suppressing the fact that his wife Sumathi is alive, and the

same was decreed in favour of the Ramalingam. Thereafter, Ramalingam and his son one

Manikandan filed another suit in O.S.No.86 of 2015 against the petitioner herein, claiming

that the sale deed is null and void. Further, the said Ramalingam had illegally married the

defacto complainant/ Malathy, even though, the said Sumathi is alive and after Ramalingam's

death, the petitioner impleaded Sumathi in the suit. He also submitted that by suppressing all

these facts, the said Malathy, with a malafide intention in order to grab the said property,



lodged a false complaint against the petitioner herein. He also submitted that the petitioner is ready to abide by any condition that may be imposed by this Court and also to appear and co-operate for the investigation.

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4. Learned Government Advocate (Criminal Side) submits that due to previous enmity, on account of land dispute between the parties, the defacto complainant had lodged complaint against the petitioner herein. He also submitted that the petitioner has no previous case and a civil dispute related to the said land is pending in O.S.No.86 of 2015. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record, including the FIR.

6. Taking into consideration the facts and circumstances of the case and the fact that there is a civil dispute pending related the said land and the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made



ready, before the learned Additional Chief Metropolitan Magistrate, Egmore on () that

the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand**

only) with two sureties each for a like sum to the satisfaction of the respondent police or the

police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned,

failing which, the petition for anticipatory bail shall stand dismissed and on further condition

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 everyday at 10:30 a.m., for a period of two weeks and thereafter, every first Saturday at 10.30 a.m.

[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 action against the petitioner in accordance with law as if the 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)AIR SCW



5560].



[f] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of B.N.S.

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22-01-2025

msv

To

The Inspector Of Police
The Ccb Iii Land Frand Investigation Wing -ii,

Gamma-06,Vepery, Chennai