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CRL OP No. 2163 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 2163 of 2025

1. K Ramadoss

S/o. Ksavalu Naidu, NEW NO 12 OLD
NO 53 F W-BLOCK 4TH STREET
ANNA NAGAR CHENNAI

2.K Vasu

New No 12 Old No 53 F W-block 4th
Street Anna Nagar

Petitioner(s)

Vs

1. State, rep. by The Inspector of Police
Avadi city crime Branch Team 1.04
Police Station, Avadi Chennai District
(Crime No. 19 of 2025)
(Amended as per order dated
18.02.2025 in CrI.MP.No.2111/2025 in
CrI.O.P.No.2163/2025)

Respondent(s)

2. E. Stalin

Intervenor

[Intervenor permitted to intervene as per the order of this Court [SMJ] made in
CrI.MP.No.2112 of 2025 dated 22.04.2025]



PRAAYER To enlarge the Petitioners on bail in the event of their arrest in connection with the Crime No. 19 of 2025 on the file of Respondent Police

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For Petitioner(s): Mr.R.Rajarathinam, Senior
Counsel
for Mr.Appaswamee VR

For Intervenor Mr.V.Sairam
Mr.G.Mayakrishnan

For Respondent(s): Mr.S.Santhosh, Government
Advocate (Crl.side)

ORDER

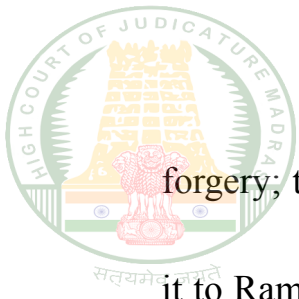
Petitioners apprehend arrest at the hands of the respondent police for the offence punishable under sections 465, 468, 467, 471 & 420 of IPC in Crime No.19 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the disputed property measuring 5.65 Acres in Survey Nos.12/1, 12/2,12/5 and 12/6 of Sundarasolavaram Village, belongs to the defacto complainant in whose favour the property was settled on 11.05.2012 vide Document No.6065/2012; that the petitioners had claimed title over the very same property based on a bogus documents; that the



first petitioner claims to have purchased the said property in the year 1972; that the parent documents relied upon by the first petitioner are fabricated documents; that the sale deed bearing Document No.2974 of 1996 dated 21.10.1966 which was one of the parent documents was printed on a Rs.1000/- stamp paper, which was not in vogue at the relevant point of time; that the sale deed bearing Document No.52/1970, dated 09.09.1970, was printed on Rs.2/- stamp paper, which was not in vogue at the relevant point of time; that the patta in favour of the first petitioner and in favour of the subsequent purchaser viz., the second petitioner are forged documents; and thus, they have committed the aforesaid offences.

3. The learned senior counsel for the petitioners would submit that allegations are false that the allegation that Rs.1000/- stamp paper was not printed in India in 1966 is without any basis; that in a similar proceedings, this Court had rendered a finding that Rs.1000/- Stamp Paper was first printed in India in the year 1962; that admittedly all these sale deeds through which the first petitioner acquired title have been registered and there cannot be any



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forger; that the property originally belonged to Murugappa Reddiyar who sold it to Ramu Reddiyar on 08.06.1949 by sale deed Doc.No.991/1949; that Ramu Reddiyar sold it to Kuppu Naicker on 30.10.1950 vide Doc.No.2425/1950; that subsequently, there were sale transactions on 06.09.1957, 21.10.1966 and 09.09.1970 and thereafter, the first petitioner purchased the property in the year 1972; and that a computerised patta was issued in the name of the first petitioner; that it is not forged; and that in any case, the custodial interrogation of the petitioners is not required.

4. The learned counsel for the Defacto complainant however vehemently opposed the grant of anticipatory bail to the petitioners stating that the sale deeds of years 1966, 1970 and 1972 were printed on bogus stamp papers; that the petitioners had produced fake patta; and that therefore the custodial interrogation of the petitioners is required

5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the case of the prosecution and submitted that the



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documents of the first petitioner were sent to the treasury and the treasury could not render a final opinion as the original documents were not sent to the treasury and opposed the anticipatory bail petition.

6. It is seen from the records, that the first petitioner had acquired the property in the year 1972. According to the first petitioner, the property originally belonged to Ramu Reddiyar, who purchased it in 1949. Thereafter, after three sale transactions, it was sold to the first petitioner in the year 1972. It is not in dispute that all the documents were registered in the respective SROs'. The allegation that the stamp papers on which the sale deeds were typed were not in vogue has not been established. In any case, the allegations are borne out by records. It is also not in dispute that computerised patta was issued in the name of first petitioner which was subsequently cancelled because it was wrongly issued to the first petitioner. It is not the case of the prosecution that the patta was forged. There is Civil Suit pending in O.S.No.137 of 2013, on the file of the District Munsif, Ponnammallee against the petitioners for declaration of title. Considering the aforesaid facts, this Court is of the view that the custodial



interrogation of the petitioners is not required and hence, is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are 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 Judicial Magistrate II, Poonamallee, on condition that the petitioner shall execute a 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 petitioners 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 petitioners shall report before the respondent Police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or



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witness either during investigation or trial;

[d] the petitioners 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 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]*;

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

Section 269 of B.N.S.

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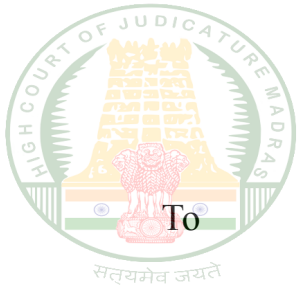
22-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1.State, rep. by The Inspector of Police
Thiruverkadu Police Station, Avadi
Chennai District (Crime No. 19 of
2025)



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SUNDER MOHAN J.

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