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CrI.OP.No.3290 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 11.03.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CrI.OP.No.3290 of 2025**

Azhaganantham Ponnas

... Petitioner /Accused

Vs.

State by Inspector of Police,  
CBCID Police Station,  
Puducherry.

... Respondent/ Complainant

**Prayer:** Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in Crime No.7 of 2024 pending on the file of the respondent police.

For petitioner : M/s.S.Vinith

For Respondent : Mr.K.S.Mohandoss,  
Public Prosecutor (Pondicherry)



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## **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 467, 468 and 471 r/w Section 34 of IPC in Crime No.7 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the Will executed by the father of the petitioner/ A1, who is no more, and registered as Document No. 9 of 1993 before the Sub-Registrar, Bahour, was tampered with and that the petitioner and other accused are the beneficiaries of the tampered Will.

3. The learned counsel appearing for the petitioner would submit that the petitioner's father died in the year 2010; that the Will was executed in the year 1993; that there was no necessity for the petitioner's father or others to tamper with the Will, as they could have executed another Will if needed; that the petitioner's father is no more, and the other accused, who were brothers of the petitioner are no more; that the petitioner was born in the year 1993 and he is unaware of the alleged offence; and that considering the nature of the allegations,

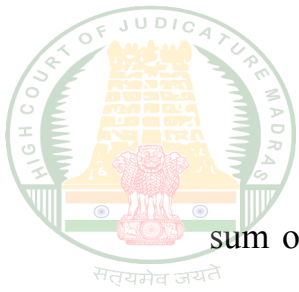


custodial interrogation of the petitioner is not required and sought for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the case of the prosecution and filed a report signed by the Investigating Officer. The report states that the Will executed in the year 1993 was tampered with and that an FIR was registered based on the complaint given by the District Registrar, Pondicherry, and opposed the grant of anticipatory bail to the petitioner.

5. Considering the nature of allegations and the fact that the father of the petitioner died in the year 2010, and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in 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 **Chief Judicial Magistrate, Puducherry**, on condition 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:

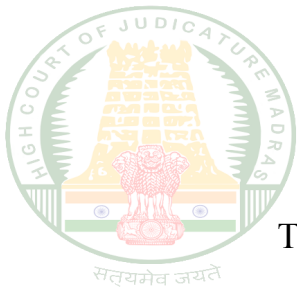
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass book to ensure their identity.

**[b] the petitioner shall report before the respondent police daily at 10:30 a.m., until further order;**

[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 petitioner released on bail by the learned Magistrate/



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Trial Court himself as laid down by the Hon'ble Supreme Court in

WEB COPY ***“P.K.Shaji -vs- State of Kerala”*** reported in **(2005) AIR SCW 5560;**

and

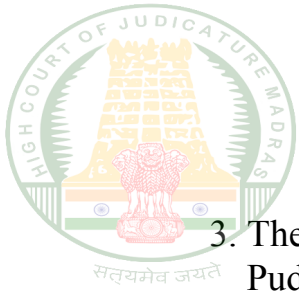
[f] If the accused thereafter absconds, a fresh FIR can be registered under  
Section 269 of B.N.S.

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Index : Yes/No  
Speaking Order/Non Speaking Order  
Neutral Citation: Yes/No  
Internet: Yes/No  
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To

1. Inspector of Police,  
CBCID Police Station,  
Puducherry.
2. The Public Prosecutor,  
Madras High Court,  
Chennai.



3. The Chief Judicial Magistrate,  
Puducherry.

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**SUNDER MOHAN, J.**

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