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Crl.O.P.No.9167 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9167 of 2025

1.K.Pechiyannan
2.C.Muniyappan
3.K.Mahalingam

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
Sulur Police Station,
Coimbatore District.
(Crime No.24 of 2025)

Respondent(s)

For Petitioner(s): Mr.Narayana Prasadh

For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the Respondent in Crime No.24 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 61(2)(a), 381(3), 336(3) and 340(2) of BNS in Crime No.24 of 2025 on the file of the respondent police, seeks



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anticipatory bail.

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2. It is the case of the prosecution that the first petitioner who was working as a secretary was expelled from the Ashram in the year 2013; that the former president of the Ashram died on 12.05.2024; that the 1st petitioner along with other accused persons forged the signature of the deceased with an intention to take over the property of the Ashram in an illegal manner. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that this is the second anticipatory bail petition and the first petitioner was dismissed as withdrawn; that the petitioners have no intention to acquire the properties of Ashram; that in fact the petitioners have filed an affidavit stating that they are neither interested in the management of the Ashram nor in the properties of the Ashram; and that in any case, custodial interrogation of the petitioner is not necessary and sought for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the petitioners have no bad antecedents.



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5. Heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. The relevant portion of the affidavit filed by the petitioner reads as follows:

3. *We undertake that we will not indulge in any kind of activity to acquire the Ashramam Properties at any point of time.*

4. *We are swearing this affidavit to express our will in respect of the above case”.*

The affidavit filed by the petitioner shall form part and parcel of the record.

7. Considering the nature of allegations and the affidavit filed by the petitioners and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from



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the date on which the order copy made ready, before the learned **Judicial**

Magistrate Court, Sulur, on condition that the petitioners 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 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 first petitioner shall report before the respondent Police once in a week, at 10.30 a.m, until further orders; that the second and third petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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.

drl

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To

1. The Inspector Of Police,
Sulur Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.

drl

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