



Crl.O.P.No.5864 of 2025

WEB COPY

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

**DATED : 22.08.2025**

**CORAM**

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN**

**Crl.O.P.No.5864 of 2025**

1.Jayakumar T  
2.Thabithal  
3.Selvin J  
4.Unice Ferida  
5.Febi J

... Petitioners

Vs.

The State rep by,  
The Inspector of Police,  
Central Crime Branch-Land Dispute-1  
Avadi City Police,  
Avadi Police Commissionerate  
Avadi, Chennai 600 054.  
(Crime No.27 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in connection with Crime No.27 of 2025 pending investigation on the file of the respondent Police.



WEB COPY



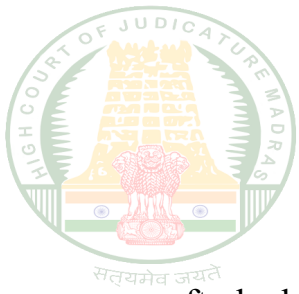
CrI.O.P.No.5864 of 2025

For Petitioners : Mr.R.C.Paul Kanagarj  
for M/s.G.Shivasurya  
For Intervenor : Mr.A.Devnarendran  
For Respondent : Mr.S.Udayakumar  
Government Advocate (CrI.Side)

### **ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **465, 468, 467, 471 & 420 of IPC**, in **Crime No.27 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. This petition is for anticipatory bail apprehending arrest for the alleged offences under Sections **465, 468, 467, 471 & 420 of IPC**, on a complaint dated 07.02.2025 received from one Harish Dwarakanathan. The said allegation found in the complaint is that a property to an extent of 4800 sq.ft, originally belongs to one Rukmani, who is the grandmother of the defacto complainant. After the demise of the said Rukmani her two sons shared the property equally. The father of the defacto complainant got 2400 sq.ft., of land later left the property to be shared by the defacto complainant and his sister. The sister, who was the owner of 1200 sq.ft., of the land had gifted the same to the defacto complainant. Whiles, the other son of Rukmani, who died issueless and the owner of 2400

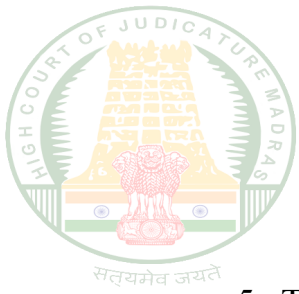


Crl.O.P.No.5864 of 2025

sq.ft., had let out to third parties for rent and they have created fake documents to an extent of 3600 sq.ft., of land and created sale deed, A1 had settled the property in favour of the wife and daughter, who are A2 and A3. Later A2 and A3 in turn had settled the property in favour of A4 & A5. Hence, alleging impersonation, forgery and cheating the complaint is under investigation. Meanwhile, it is stated that the parties have gone to Civil Court and the suit in OS.No.53 of 2023 is pending on the file of the District Munsif Court, Ambattur.

3. The present petition is filed by A1 to A5 stating that there is no forgery or impersonation, the sale deed was from the person who had perfected his title from adverse possession and the petitioners are ready to participate in the enquiry.

4. It is also stated by the learned counsel appearing for the intervenor/defacto complainant that the District Registrar after enquiry had cancelled the fake documents created by A1 in favour of A2 and A3 and the documents created by A2 and A3 in favour of A4 and A5 respectively.



Crl.O.P.No.5864 of 2025

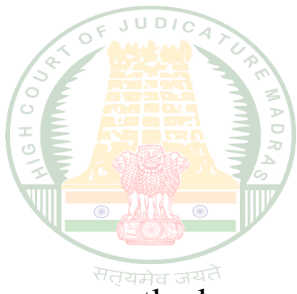
WEB COPY

5. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioners, reiterated the prosecution case.

6. Heard the learned counsels and perused the materials available on record.

7. Considering the fact that the District Registrar conducted the enquiry, cancelled the deeds, presently in favour of A4 and A5 as well as the documents in favour of A2 & A3. It is suffice to direct the petitioners to participate in the investigation and produce all the documents necessary for the investigation, the custodial interrogation of the petitioners are not necessary. Hence, 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 their appearance, **on or before 08.09.2025**, before the learned **Judicial Magistrate No.1, Poonamallee**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** each with **two sureties** each for a like sum to the satisfaction of



Crl.O.P.No.5864 of 2025

the learned Magistrate concerned and on further condition that:

**[a] if the petitioners fail to surrender before the concerned Magistrate on or before 08.09.2025, this Order shall stand automatically cancelled;**

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

**[c] the petitioners shall report before the respondent Police, daily at 10.30 a.m., until further orders;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be



CrI.O.P.No.5864 of 2025

WEB COPY

registered under Section 269 of B.N.S.

**22.08.2025**  
**(1/2)**

dna

To

1.The Judicial Magistrate No.1, Poonamallee.

2.The Inspector of Police,  
Central Crime Branch-Land Dispute-i  
Avadi City Police,  
Avadi Police Commissionerate  
Avadi, Chennai 600 054.  
(Crime No.27 of 2025)

3.The Public Prosecutor,  
High Court of Madras.



WEB COPY



Crl.O.P.No.5864 of 2025

**Dr.G.JAYACHANDRAN, J.**  
dna

**Crl.O.P.No.5864 of 2025**

**(1/2)**

**22.08.2025**