



Crl.OP.No.7705 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7705 of 2025

1.Jayasudha

2.K.V.Kathiravan

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
District Crime Branch-II,
Chengalpattu District.
(Crime No.4 of 2025)

.. Respondent

T.Jaisudha

.. Defacto complainant

[Permitted to intervene vide order of this Court [SMJ] dated 20.03.2025 made in Crl.M.P.No.5575 of 2025 in Crl.O.P.No.7705 of 2025]

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.4 of 2025 on the file of the respondent Police.

For Petitioners : M/s.Deivanandam Manickam

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)



CrI.OP.No.7705 of 2025

For Intervenor : Mr.M.Senthil Kumar

ORDER

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 468, 471, 419 and 420 of IPC in Crime No.4 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners had impersonated one T.Jaisudha, the defacto complainant and executed settlement deed in favour of the 2nd petitioner and the same was registered as Doc Noc.4538 of 2023 on the file of the Sub-Registrar, Thirukazhukundram.

3. The learned counsel for the petitioners would submit that due to the similarity between the 1st petitioner and her husband's name, the settlement deed was inadvertently executed by the 1st petitioner in favour of the 2nd petitioner; that the petitioners are ready and willing to cancel the said settlement deed bearing Doc No.4538 of 2023 and mortgage deed bearing Doc No.2327 of 2024. The petitioners have also filed an affidavit to that



effect.

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirms the fact that the settlement and mortgage deed was inadvertently registered by the petitioners.

5. Heard the learned counsel for the defacto complainant.

6. Considering the fact that the petitioners are ready to cancel the documents which have been allegedly executed by impersonation, this Court 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 is made ready, before the **learned**



CrI.OP.No.7705 of 2025

WEB COM

Judicial Magistrate-II, Chengalpattu, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 shall cancel the settlement deed bearing Doc No.4538 of 2023 dated 09.03.2023 and mortgage deed bearing Doc No.2327 of 2024, dated 28.03.2024 within a period of two weeks from the date of receipt of a copy of this order, as undertaken by them.

[b] 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.

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

[f] 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



CrI.OP.No.7705 of 2025

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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

20.03.2025

(2/2)

Index : Yes / No

Internet : Yes / No

dpa

To

1.The Inspector of Police,
District Crime Branch-II,
Chengalpattu District.

2. learned Judicial Magistrate-II, Chengalpattu

3.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY



CrI.OP.No.7705 of 2025

SUNDER MOHAN , J.

dpa

CrI.O.P.No.7705 of 2025



WEB COPY



CrI.OP.No.7705 of 2025

20.03.2025
(2/2)