



WEB COPY

CRL OP No. 11667 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 11667 of 2025

1. D.Kandasamy

Son of Durairaj

2. K.Rajalakshmi

Wife of Kandasamy

3. K.Vijay

Son of Kandasamy, All residing at, 79, V V
Koil Street, Thiruvallieswarar Nagar,
Thirumangalam, Anna Nagar, Chennai - 40.

Petitioners

Vs

1. The State Represented by

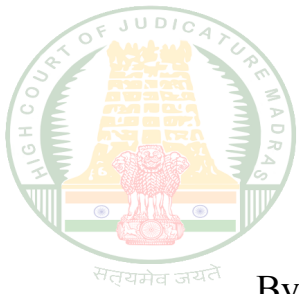
The Inspector of Police, Korattur Polie
Station, Redhills District, Chennai.

(Crime No.617 of 2022)

Respondent

For Petitioners : S.Girissh

For Respondent: Mr.M.Murali Vinodh
For Intervener
Mr.S.Sugendran, APP



ORDER

By order of this Court dated 16.06.2025, today, the defacto complainant appeared before this Court, and submitted that the petitioners had complied with the conditions as per terms of Memorandum of Understanding (MOU), dated 24.02.2023, agreed upon by them.

2. The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468 and 471 of the Indian Penal Code (I.P.C.), 1860, in Crime No.617 of 2022, on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that the petitioners created fabricated documents for the lands belonging to the defacto complainant and they had cheated the defacto complainant. Hence, the complaint.

4. According to the learned counsel appearing for the intervenor, this is the second anticipatory bail application. The petitioners had not complied with the order of this Court, hence, the defacto complainant filed a cancellation of anticipatory bail in Crl.M.P.No.12840 of 2024, which was allowed on 28.11.2024. Only after filing the cancellation of anticipatory bail application, the petitioners had complied with the conditions as per the MOU. Therefore, he raised strong objection for granting anticipatory bail to the petitioners.



5. Learned Additional Public Prosecutor has also submitted that the investigation is almost completed, and a final report is yet to be filed.

WEB COPY

6. Heard the learned counsel appearing on either sides and perused the materials available on record.

7. On perusal of the records shows that the petitioners had settled the dispute before the mediation by way of entering into a Memorandum of Understanding (MOU), on 24.02.2023. However, as per the MOU entered between them before the mediation, the petitioners had not complied with the conditions as agreed upon by them within the stipulated time. Therefore, the defacto complainant had filed a cancellation of anticipatory bail in CrI.M.P.No.12840 of 2024, which was allowed on 28.11.2024. As of now, the petitioners have complied with the conditions as per the MOU, and the defacto complainant has also agreed the same before this Court.

8. Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side, and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



9. 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 Additional Judicial Magistrate, Ambattur**, on condition that the petitioners shall execute 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:

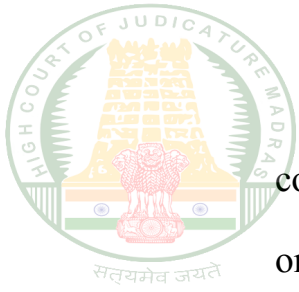
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police as and when required for interrogation;

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

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

[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



WEB COPY

conditions have been imposed and the petitioners were 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]***;

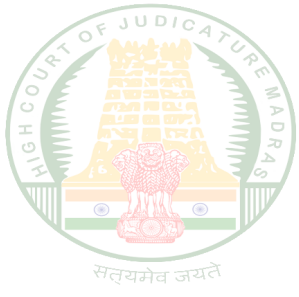
[f] If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18-06-2025

kl

To

1. The Judicial Magistrate, Ambattur.
2. The Inspector of Police,
Korattur Police Station,
Redhills District, Chennai. (Crime No.617 of 2022)



WEB COPY

CRL OP No. 11667 of 2025



T.V.THAMILSELVI J.

klt

CRL OP No. 11667 of 2025

18-06-2025