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CRL OP No. 11292 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11292 of 2025

1. DHANAPAL

S/O.Gopal, Gengasanthiram,
Bethasigaralapalli Post, Shoolagiri
Taluk, Krishnagiri District.

2. VENKATESH

Petitioner(s)/A2 & A4

Vs

1. State Rep. by The Inspector of
Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.

Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of their arrest in Crime.No.1/2025 pending investigation on the file of the respondent and thus render Justice.

For Petitioner(s): Mr.E Kannadasan

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 120(B), 419, 420, 467, 468, 471 of IPC in Crime No.1 of 2025, on the file of the respondent Police, seek anticipatory



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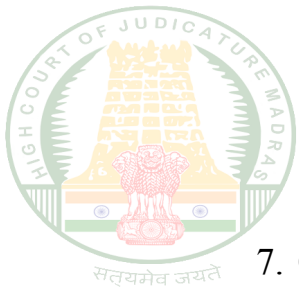
2. The case of the prosecution is that the first accused had impersonated the defacto complainant and sold his property to the second accused/first petitioner; that the third and the fourth accused (second petitioner) had signed as witnesses in the said document and thus, committed the aforesaid offences.

3. The learned counsel for the petitioners submitted that the first petitioner is a bonafide purchaser; and that on coming to know of the alleged impersonation, he re-conveyed the property to the defacto complainant and his wife, vide sale deed bearing Doc.No.1974 of 2025 dated 17.03.2025 and sought for anticipatory bail.

4. Heard the learned Government Advocate who reiterated the prosecution case and stated that the petitioners have no bad antecedents.

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

6. Admittedly, the first petitioner had re-conveyed the property to the defacto complainant and his wife. The second petitioner was only a witness to the document, which conveyed the property to the first petitioner earlier.



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7. Considering the aforesaid facts, the nature of the allegations and the fact that the petitioners have no bad antecedents, this Court is of the view that custodial interrogation is not required for the purpose of investigation, and hence, 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, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Krishnagiri**, on condition that the petitioners shall execute a 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



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witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the 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)AIR SCW 5560]*;

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

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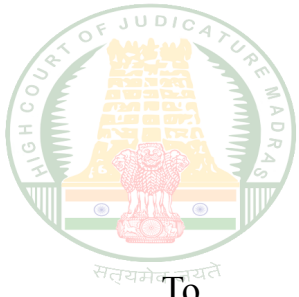
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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- 1.State Rep. by The Inspector of Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.
2. The Judicial Magistrate No.II, Krishnagiri.
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN J.

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