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CRL OP NO. 11699 of 2025:



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 11699 of 2025

1.Kaviyarasan
2.Appasamy

petitioners

Vs.

The State by, The Inspector of Police,
District Crime Branch,
Cuddalore District.
(Crime No. 7 of 2025)

Respondent(s)

PRAYER To enlarge the Petitioners/Accused on bail in the event of arrest by the respondent police in Crime No. 7 of 2025 pending investigation before the respondent and to pass such other suitable orders as may deem fit.

For petitioners (s): Mr.K.Muruganandham

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 182, 420, 465, 468, 471 of IPC, in Crime No. 7 of 2025, on the file of the respondent police, seek anticipatory bail.



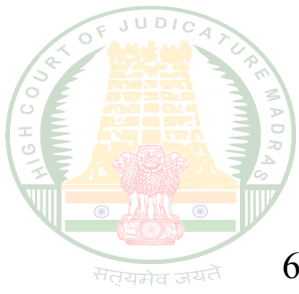
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2. The case of the prosecution is that A1 and A2 had impersonated the defacto complainant and sold the disputed property to A3 by fabricating the death and legal heir certificates; that the petitioners had signed the sale deed as witnesses. Hence, the complainant.

3. The learned counsel for the petitioners would submit that the allegations are false; that the petitioners had nothing to do with the alleged impersonation and that the custodial interrogation of the petitioners are not necessary and hence, prayed for anticipatory bail to the petitioners. He would further submit that A1 to A3 were arrested and subsequently released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and confirmed the fact that A1 to A3 were arrested and subsequently released on bail and the petitioners signed only as witnesses in the sale deed.

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



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6. Considering the role played by the petitioners; that the fact that the main accused were released on bail; that the petitioners had signed in the sale deed only as witnesses and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on 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 of receipt of a copy of this order, before the **Judicial Magistrate No.I, Vriddhachalam, Cuddalore District** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police every day 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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SUNDER MOHAN, J.
gbi

[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 BNS.

25.04.2025

gbi

To,

- 1.The Inspector of Police,
District Crime Branch,
Cuddalore District.
2. The Judicial Magistrate No.I,
Vriddhachalam, Cuddalore District.
3. The Public Prosecutor,
Madras High Court, Chennai.

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