



WEB COPY

CRL OP No. 12236 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12236 of 2025

1. Sivaguru

S/o. Ponnusamy, No.25 A First Floor,
RVR House, Opp fire Office, West
Kandhasampuram, U.Keeranur,
Ulundurpet, Kallakurichi District.

2. Akshai

S/o Subramaniam, No.3/207, East
Street, TThakka, Thiruppeyar,
Villupuram.

3. Rajendiran

S/o Velusamy, T.Thakka, Thiruppeyar,
Asanoor post, Villupuram District.

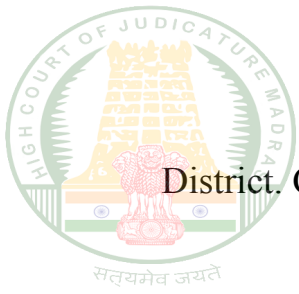
4. Ravi

S/o.Pazhanivel, No.5/144, Perumal
Kovil street, Sengurichi, Villupuram
District.

Petitioner(s)

Vs

1. The Inspector of Police,
Ulundurpet Police Station, Kallakurichi



District. Crime No. 335 of 2023.

Respondent(s)

WEB COPY

PRAYER

To enlarge the petitioners on bail in the event of bis arrest in Cr. No. 335 of 2023 on the file of respondent police and thus render justice.

For Petitioner(s): S Saravanakumar

For Respondent(s): Mr.S.Balaji, Government
Advocate (crl.side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 423, 467, 468, 471 of IPC, in Crime No.335 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's father had purchased the disputed property from one Ponnusamy (A2) in the year 1965; that thereafter A1 (1st petitioner) to A3 by falsely claiming title over the property executed a partition deed between themselves on 23.01.1976 by document bearing Reg.No.201 of 1976; that thereafter A1 and A2 settled the property in favour of A5 and A6 (2nd and 3rd petitioners) who subsequently executed documents transferring the property.



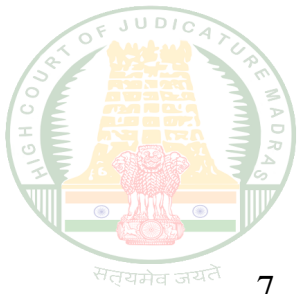
WEB COPY

3. The learned counsel for the petitioners would submit that the allegations are false; that the allegations are borne out by records; and that the custodial interrogation is not required since the investigation has been completed and the final report has been filed.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and confirmed the fact that the final report has been filed.

5. It is seen from the FIR that the only grievance of the complainant is that after his father had purchased the property, the vendor and his brothers entered into a partition in the year 1976 by falsely claiming title to the property. The said allegations are borne out by records. Further, the final report has now been filed.

6. Considering the aforesaid facts, the nature of allegations, this Court is of the view that custodial interrogation of the petitioners are not required and is inclined to grant anticipatory bail to the petitioners with certain conditions.



WEB COPY

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 Judicial Magistrate No.I, Ulundurpet**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 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 Trial Court on all hearing dates.

[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.

[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 BNS.

23-04-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Ulundurpet Police Station, Kallakurichi
District. Crime No. 335 of 2023.



WEB COPY

CRL OP No. 12236 of 2025



SUNDER MOHAN J.
gbi

**CRL OP No. 12236 of
2025**

23-04-2025