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Crl.O.P.Nos.12281 & 13610 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.12281 & 13610 of 2025

Seenuvasan @ Seenu

... Petitioner in Crl.O.P.No.12281 of 2025

Sakthivel

... Petitioner in Crl.O.P.No.13610 of 2025

Vs.

The State represented by,
The Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi District.
(Crime No.252 of 2024).

... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, to enlarge the petitioners on bail, in connection with Crime No.252 of 2024, pending investigation on the file of the respondent Police.

In Crl.O.P.No.12281 of 2025,

For Petitioner : Mr.G.Sarath Babu

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

In Crl.O.P.No.13610 of 2025,

For Petitioner : Mr.G.Prabhakaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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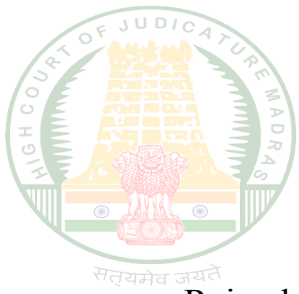
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COMMON ORDER

The petitioners/A6 & A7 respectively, who were arrested and remanded to judicial custody on 17.03.2025 and 27.03.2025 respectively for the offences punishable under Sections 120B, 419, 423, 465, 468 & 471 of IPC in Crime No.252 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused, by fabrication and manipulation of documents, public records including the Aadhar card of the de facto complainant and impersonation, grabbed the properties belonging to the de facto complainant/Rani. Hence the case.

3. Learned Counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners were implicated in this case only based on the confession statement obtained from the co-accused. He further submitted that even the name of the petitioners does not find place in the First Information Report and the entire case is borne out by documents and that some of the co-accused have been enlarged on bail as well as anticipatory bail by this Court. He also submitted that the main accused



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Rajendran in this case has already been enlarged on bail and further submitted that the petitioners are in custody for more than 45 days, hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of bail to the petitioners submitted that the accused conspired together, impersonated and fabricated the documents including the Aadhar card of the de facto complainant and executed the sale deed for about 74 cents in favour of A2, who in turn, executed the sale in deed for 40 cents in favour of A3 and settled the balance 34 cents in favour of his son A4. He further submitted that the allegation against the petitioners is that they had created the forged documents for impersonating the de facto complainant and one of the accused Rajendran is the king pin, who was behind this offence. He further submitted that the investigation in this case is still pending and the deeds executed based on the forged documents were cancelled. He also submitted that several previous cases are pending against the petitioners.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the fact that the co-accused have been enlarged on bail and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thirukoilur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the Inspector of Police, Thirukoilur Police Station, Kallakurichi District, everyday at 10.30 a.m., for a period of thirty days and thereafter, as and when required for further interrogation;

[c] the petitioners shall make themselves available



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for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283];**

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

15.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.
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To

1. The Judicial Magistrate,
Thirukoilur.
2. The Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi District.
3. The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
4. The Superintendent,
Central Prison, Cuddalore.
5. The Superintendent,
Sub Jail, Villupuram.
6. The Public Prosecutor,
High Court of Madras.

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