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CRL OP No. 12493 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12493 of 2025

1. R S Mani

S/o. Sri Rangan (late), No 17/8, Bajanai
Koil Street, T.Nagar, Chennai

2. R S Ramasamy

S/o. Sri Rangan (late) No 3/33, Madurai
Veeran Koil Street, Saidapet, Chennai-
15.

4. R S Govindaraju

S/o. Sri Rangan (late) No 39/19, Sastri
2nd Cross Street, Kaveri Nagar,
Saidapet, Chennai-15.

Petitioner(s)

Vs

1. State Rep by,
Sub Inspector of Police,
JI Saidapet Police Station,
Chennai - 600015

Respondent(s)



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PRAYER

To pass an order directing the release and enlarge the petitioners on bail in the event of their arrest in Crime No. 46 of 2025 pending investigation on the file of the respondent police and pass such order or other orders as this Hon'ble Court deemed fit and thereby render justice.

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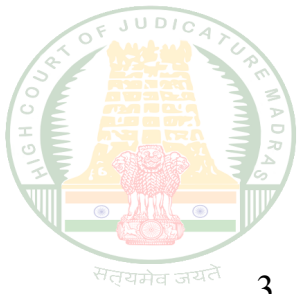
For Petitioner(s): Mr. T. Naveen Chandar

For Respondent(s): Mr. S. Balaji, Govt. Advocate

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 177, 420, 465, 468, 471 of IPC in Crime No. 46 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners are the brothers of the defacto complainant; that they forged legal heir certificate of their father making to appear that they are the sole legal heirs and grabbed the property belonging to the father of the defacto complainant and thus, committed the aforesaid offences.

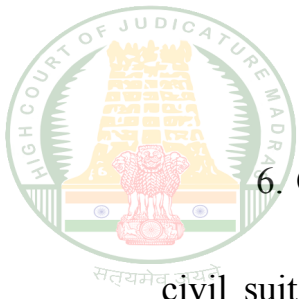


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3. Learned counsel for the petitioners submitted that the allegations are false; that there is a civil dispute between the petitioners and the defacto complainant; and that the legal heir certificate is said to have issued on 21.12.2010; that the allegations are borne out by records; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police who reiterated the prosecution case, opposed the grant of anticipatory bail to the petitioners.

5. It is seen that there is civil suit filed in O.S. No. 107 of 2024 on the file of Sub Court, Veda sandur, Dindigul District. The legal heir certificate is said to have been obtained in the year 2010. The allegations are borne out by records. The dispute is between brothers and their sister/defaco complainant.



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6. Considering the nature of allegations against the petitioners, there is a civil suit pending between petitioners and the defacto complainant and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with 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 on which the order copy made ready, before **the learned IX Metropolitan Magistrate, Saidapet, Chennai**, 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 daily at 10.30 a.m., until further orders.

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[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 of B.N.S.

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SUNDER MOHAN, J.

AT

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To

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JI Saidapet Police Station,
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