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Crl.O.P.No.12607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12607 of 2025

1.M.P.Ramachandra

2.Siva

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
District Crime Branch.
Villupuram.

Crime No.4 of 2025

... Respondent

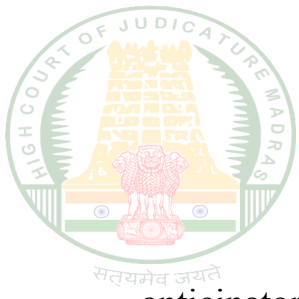
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No.4 of 2025 on the file of respondent Police.

For Petitioner : Mr.R.C.Paul Kanagaraj

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 420, 468, 471 and 506 (2) of I.P.C., in Crime No.4 of 2025, on the file of the respondent Police, seek



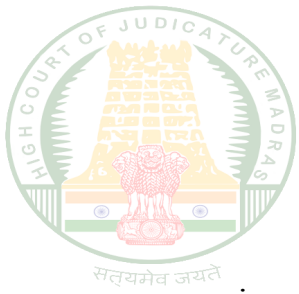
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anticipatory bail.

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2.The case of the prosecution is that the defacto-complainant's husband died on 12.03.2021, leaving behind two daughters and two sons namely Pavithra, Leena, Pramod Patel and Deepak Patel. They used to visit the defacto-complainant once in a week. The defacto-complainant is in the possession of property located at Kaverypakkam in S.No.4/3 measuring 35 cents and in S.No.4/7 measuring 33 cents. The above said property measuring an extent of 68 cents are in the possession of the defacto-complainant and she wish to partition the property to her heirs. When the defacto-complainant went to take out the document, she found that original documents were missing and colour xerox was kept in the cupboard. The defacto-complainant enquired her 1st daughter about the same, but she denied. Hence the case.

3.The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged by the prosecution and had been falsely implicated in this case. He further submits that the entire allegation is only against A1 to A3. The 1st petitioner is a practising Advocate and the 2nd petitioner is the document writer and they had only done their legal work in



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preparing the draft and assisting the A1 and A2 in the registration process. Hence, prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) reiterated the prosecution and opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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-1, Tindivanam** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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:



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[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioners shall report before the respondent Police everyday at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation;

[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[f] 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;

[g] The petitioners shall not interfere with the property of the defacto complainant and to that effect an undertaking



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shall also be filed by the petitioner;

[h] 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]**;

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

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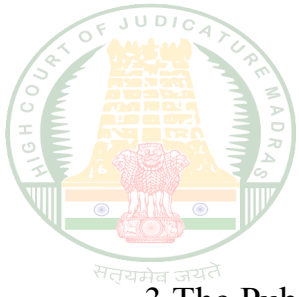
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To

1.The Judicial Magistrate No.I,
Tindivanam.

2.The Inspector of Police,
District Crime Branch.
Villupuram.

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3.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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