



Crl.O.P.No.13708 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13708 of 2025

1.S.Kokila
2.P.Selvaraj
3.S.Pradeep Naveen
4.C.Kaliappan
5.M.Bhuvanesh

... Petitioners

Vs.

State rep. by
The Inspector of Police
Race Course Police Station
Coimbatore District.
(Cr.No.610/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.610 of 2024 pending investigation on the file of the respondent police.

For Petitioners	:	Mr.K.Govi Ganesan
For R1	:	Mr.R.Vinothraja Government Advocate (Crl.Side)
For Intervenor	:	Mr.R.Prabakar



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ORDER

The petitioners, who apprehend arrest for the alleged offences under Sections 406, 420 and 120(b) of IPC, in Crime No.610 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the elder sister of the de-facto complainant; the 2nd petitioner is the husband of the 1st petitioner and they have two children and that the mother of the de-facto complainant was residing with her. It is alleged that the petitioners 2 and 3 forcibly taken the mother of the de-facto complainant to their place and suddenly, on 30.06.2024, informed that their mother passed away. Further, it is alleged that the petitioners 1 to 3 colluded and obtained the property and later, mortgaged the same without the knowledge of the de-facto complainant and other sister Santhi and they obtained settlement deed in favour of the 3rd petitioner vide doc.no.1602/2024 dated 12.04.2024 and their mother was in no condition to execute any document and that the petitioners herein used the old age and health complications usurped and cheated the property. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as



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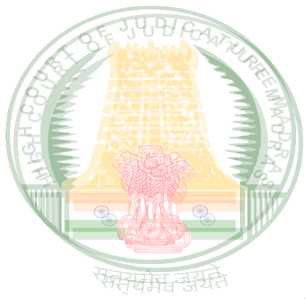
alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is a property dispute amongst the family members. He opposed for grant of anticipatory bail to the petitioners.

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

6. There is a property dispute between the petitioners and the de-facto complainant. Even according to the de-facto complainant, the property was settled in favour of the 3rd petitioner by her mother. If at all any grievance for execution of settlement deed, the de-facto complainant ought to have challenged the same in the manner known to law. Therefore, the custodial interrogation of the petitioners does not require in this case.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate No.3, Coimbatore***, 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 learned Magistrate concerned and on further condition that:

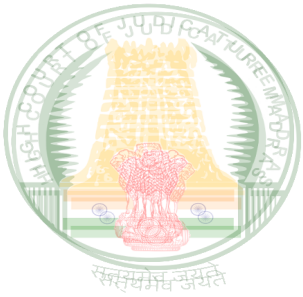
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent, as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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***



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

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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.

To

1. The Judicial Magistrate No.3, Coimbatore.
2. The Inspector of Police
Race Course Police Station
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.

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