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CRL OP No. 13795 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 13795 of 2025

1.M.Mathivathani

2. Devananthan

Petitioners

Vs

State by, The Inspector of Police,
DCB Police Station, Cuddalore. (Cr.No.
4/2022)

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on Anticipatory bail,
in the event of their arrest, pending investigation in Cr.No.4/2022 on the file of
the DCB Police Station, Cuddalore.

For Petitioners: Mr.D Ashok Kumar

For Respondent: Mr.R.Vinothraja
Government Advocate (Crl.Side)



ORDER

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The petitioners who apprehend arrest for the alleged offences punishable under Sections 419, 423, 465, 467 and 471 of IPC in Crime No.4 of 2022 on the file of the respondent police, seek anticipatory bail.

2. There are totally seven accused and the petitioners are arrayed as A2 & A3 in this case. The case of the prosecution is that the petitioners/A2 & A3 along with A1 had fabricated the documents of the land in dispute between the petitioners and defacto complainant's family members and transferred the same to the seventh accused. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged and they have been falsely implicated in this case. He further submitted that the petitioners is ready and willing to furnish substantial sureties for their due release and abide by any condition that may be imposed by this Court and therefore, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners had fabricated the documents of the land in dispute of the defacto complainant and his family members and he further submitted that there is no previous case as against the petitioners and further, considering the gravity of offence, he opposed for grant of anticipatory



bail to the petitioners.

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5. Considering the representations made by both sides and considering the nature of the offences and also considering that there is a civil dispute pending between the parties and further, taking into consideration of the fact that the alleged date of occurrence of the incident was in the year 2021 and the First Information Report (FIR) was registered in the year 2022 and as the case is pending for more than years and the respondent police have not taken any steps to secure the accused and that there is no previous case as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners 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 of receipt of a copy of this order, before the **Judicial Magistrate-I, Cuddalore**, 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, 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition



that:

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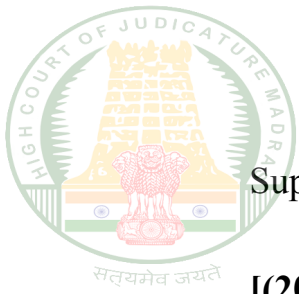
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter 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* reported in

[(2005)AIR SCW 5560];

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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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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The Inspector of Police,
DCB Police Station,
Cuddalore.
(Cr.No. 4/2022)
2. The Judicial Magistrate-I, Cuddalore.
3. The Public Prosecutor,
High Court of Madras, Madras.



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M.NIRMAL KUMAR J.

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