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CrI.O.P.No.17745 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17745 of 2025

Kaliyamoorthy

... Petitioner/A4

Vs

State Rep by

The Inspector of Police,

District Crime Branch,

Cuddalore District.

(Crime No.30 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in the event of arrest in connection with Crime No.30 of 2022 pending investigation on the file of the respondent police.

For petitioner : Mr.K.Muruganandham

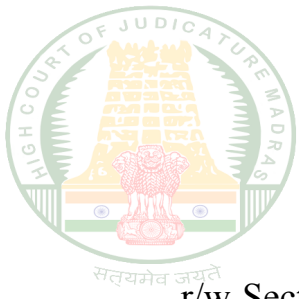
For Respondent : Mr.R.Vinothraja

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 423, 467, 471 of I.P.C.

1/6



CrI.O.P.No.17745 of 2025

WEB COPY

r/w Section 82(a) of Registration Act in Crime No.30 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's son purchased a property from A1 to A3 to an extent of 0.05 ½ cents. Subsequently, A1 to A3 cancelled the sale deed without the knowledge of de-facto complainant and settled the property to third party. The petitioner/A4 is the Sub Registrar. He registered the said document without the knowledge of de-facto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that during the alleged occurrence, the petitioner was appointed as in-charge to the Sub-Registrar. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioner.



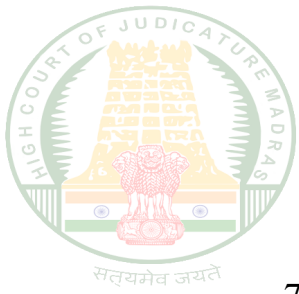
CrI.O.P.No.17745 of 2025

WEB COPY

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that in this case, totally there are 7 accused, the petitioner is ranked as A4. The co-accused A1, A2 and A6 are no more. Till now nobody was arrested. He further submitted that investigation in this case completed and charge sheet filed through e-fililng on 09.06.2025 before the learned Judicial Magistrate, Thittagudi. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made on either side and the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.17745 of 2025

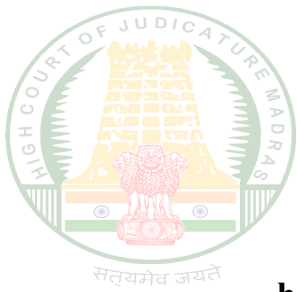
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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Special Court for Land Grabbing Cases at Cuddalore District** on condition that the petitioner shall execute a 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] if the petitioner 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 Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] **the petitioner shall appear before the trial Court on all**



CrI.O.P.No.17745 of 2025

WEB COPY

hearing dates without fail;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by the respondent as and when required;

[f] the petitioner 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 petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

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

27.06.2025

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Crl.O.P.No.17745 of 2025

M.NIRMAL KUMAR, J.

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To:

- 1.The Inspector of Police,
District Crime Branch,
Cuddalore District.
- 2.The Special Court for Land Grabbing Cases
at Cuddalore District.
- 3.The Public Prosecutor,
High Court Madras.

Crl.O.P.No.17745 of 2025

27.06.2025