



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10-07-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.18427 of 2025

1. R.Rajkumar
2. Raju
3. Lingiammal @ Lingammal
4. Deepu
5. Dilip
6. Ranjith

Petitioners

Vs

State rep by,
Inspector of Police,
Kothagiri Police Station,
Nilgiris District.
(Crime No.91/2025)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail, in the event of their
arrest in Crime No.91 of 2025 on the file of the Inspector of Police, Kothagiri
Police Station, Nilgiris.

For Petitioners : Mr.A.Nagarajan

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.side)

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 318 (4), 336 (2), 336 (3), 340 (2), 61 (2) of B.N.S. in Crime No.91 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the first accused is the former member of Legislative Assembly. The first accused along with other accused colluded together had purchased a stamp paper for Rs.50/- dated 08.02.2012 and 22.02.2012 from one stamp paper vendor namely Koshi, thereafter they had used the same and entered agreement in the name of Navilkal Estate Tea Factory after changing dates by over writing and pre-dated as 31.05.2006 and 22.02.2010 and the same was confirmed by the District Registrar, Udagamandalam, during the time of enquiry. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this



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case. The contention of the petitioners is that in the year 1949 Tea Estate business was started with 3.75 acres. Thereafter, they solely acquired properties and Estate of 50 acres in a partnership name between two brothers namely Jogi Goudar and Nandhi Goudar. It is further submitted that there was a partnership deed which has been registered on 11.04.2012 as document No.37 of 2012 in SRO, Ooty. The petitioners were served with a 41A notice dated 08.04.2025. Petitioners had appeared and narrated all the consequences which had happened from 1949 till date and also about the functioning of the Tea factory and also other facts. In fact, in reply, they had annexed thirteen documents from 1949 to 1987 in support of their contention. This being so, the respondent Police has not considered the same and First Information Report has been registered on 13.06.2025, based on the complaint given by one Thilak, in which there is no reference about the petitioner's earlier reply. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the



investigation is still in progress. He further submitted that the Nilgiris District

Registration Department in Na.Ka.No.1656 of 2023 dated 22.01.2024, had

conducted an enquiry and gave a report that the stamp paper dated 01.06.2006 is

found to be sold by one Goshi who is no more. Hence, the genuineness of the

stamp paper are to be verified. Hence,, he opposed for grant of anticipatory bail

to the petitioners.

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

6.Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioners is not required, 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 **Judicial**



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Magistrate, Kothagiri, Nilgiris District, 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:

[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 third petitioner shall report before the respondent police as and when required for interrogation; the first, second, fourth, fifth and sixth petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of three weeks; thereafter as



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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] 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];

[h] If the accused thereafter absconds, a fresh FIR can



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be registered under Section 269 of B.N.S.

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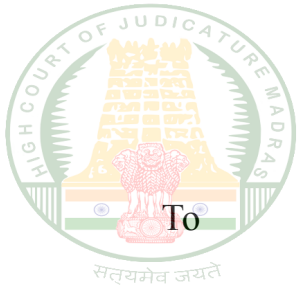
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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1. The Inspector of Police,
Kothagiri Police Station,
Nilgiris District.
 2. The Judicial Magistrate,
Kothagiri,
Nilgiris District.
 3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.

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