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CrI.O.P.No.20264 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.08.2025**

CORAM

**THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR**

CrI.O.P.No.20264 of 2025

1.A.Ramu  
2.A.Rajan

... Petitioners/A1 & A2

Vs

State represented by  
The Inspector of Police,  
Kothagiri Police Station,  
Nilgiris Distirct.  
(Crime No.91 of 2025)

... Respondent

**Prayer:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on  
anticipatory bail in the event of their arrest by the respondent police in Crime  
No.91 of 2025 on the file of the respondent police.

For petitioners : Mr.S.Parthasarathi  
For Respondent : Mr.Leonard Arul Joseph Selvam  
Additional Public Prosecutor



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## **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) 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 for petitioners submitted that he is not pressing the anticipatory bail petition insofar as the 2<sup>nd</sup> petitioner/A2 is concerned,



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since this Court had already granted anticipatory bail to the 2<sup>nd</sup> petitioner/A2

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on 29.07.2025 in CrI.O.P.No.20666 of 2025.

4. The learned counsel further submitted that the 1<sup>st</sup> petitioner is an innocent person and he has been falsely implicated in this case. The contention of the petitioner 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 petitioner was served with a 41A notice dated 08.04.2025. The petitioner 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



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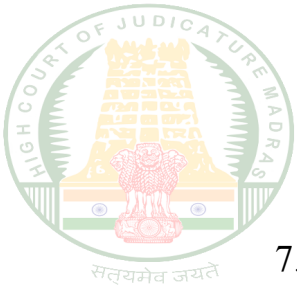
on 13.06.2025, based on the complaint given by one Thilak, in which there is

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no reference about the petitioner's earlier reply. He also submitted that the co-accused/A3, A5, A6, A7 & A8 were granted anticipatory bail by this Court on 10.07.2025 in CrI.O.P.No.18427 of 2025. Hence, he prayed for grant of anticipatory bail to the 1<sup>st</sup> petitioner.

5.The learned Additional Public Prosecutor 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 granting anticipatory bail to the petitioner.

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



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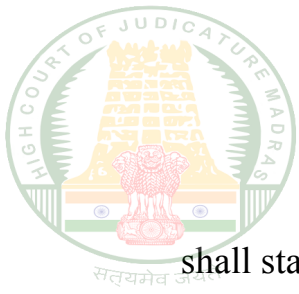
**7.The Criminal Original Petition is dismissed as not pressed**

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**insofar as the 2<sup>nd</sup> petitioner/A2 is concerned.**

8.Considering the submissions made by the learned counsel on either sides and the fact that the co-accused/A2, A3, A5 to A8 were already granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the 1<sup>st</sup> petitioner with certain conditions.

8.Accordingly, the 1<sup>st</sup> petitioner/A1 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 learned **Judicial Magistrate, Kothagiri, Nilgiris 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



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shall stand dismissed and on further condition that:

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[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 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 1<sup>st</sup> petitioner shall report before the respondent police daily at 10.30 a.m. for a period of three weeks, thereafter as and when required for interrogation;**

[d] the 1<sup>st</sup> 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 1<sup>st</sup> petitioner 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 1<sup>st</sup> petitioner to give an undertaking that if required for being identified by witnesses during



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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 petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

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**M.NIRMAL KUMAR, J.**

rsi

To

1.The Judicial Magistrate,  
Kothagiri, Nilgiris District.

2.The Inspector of Police,  
Kothagiri Police Station,  
Nilgiris Distirct.

3.The Public Prosecutor,  
High Court Madras.

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