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Crl.O.P.No.21213 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.21213 of 2025

1.Sidhan @ Sithan
2.Chinnathai

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Tharamangalam Police Station,
Salem District.
Crime No.396 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.396 of 2025 on the file of the respondent police.

For petitioners : Mr.E.Kannadasan
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

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The petitioners herein apprehends arrest at the hands of the respondent police for the offence punishable under Sections 197, 198, 294(b), 420, 467, 468, 471, 465, 506(ii), 109 of IPC and Section 82(a) of the Registration Act, 1908, in Crime No.396 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners are said to have fabricated certain documents and attempted to grab the property belonging to the de facto complainant. Hence, the present complaint.

3. During the pendency of the enquiry before this Court, the parties have amicably settled the matter among themselves. The petitioners have reconveyed the land in favour of the de facto complainant by executing a sale deed dated 02.08.2025. It is further seen that a separate Memorandum of Understanding has also been entered into between the parties on the same day, wherein the de facto complainant has agreed to withdraw the complaint.

4. Considering the above facts and circumstances of the case, particularly the amicable settlement arrived at between the parties, the



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execution of the reconveyance deed in favour of the de facto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Omalur**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two **sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, 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 petitioners shall report before the



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respondent police daily at 10.30 a.m., for a period of one week, and thereafter, as and when required for interrogation;

[d] 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]**;

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

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To

- 1.The Judicial Magistrate, Omalur.
- 2.The Inspector of Police,
Tharamangalam Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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