



WEB COPY



Crl.OP.No.21789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.21789 of 2025

E.Manikandan

... Petitioner / A1

Vs.

State rep by
The Inspector of Police,
Katpadi Police Station,
Vellore District – 632 007.
(Cr.No.228 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Cr.No.228 of 2025 on the file respondent police.

For Petitioner	:	Mr.A. Gokula Krishna
For Intervenor	:	Mr.B.Thirumalai
For Respondent	:	Mr.S.Udayakumar, Government Advocate (Crl.Side)



ORDER

The petitioner herein / A1, apprehends arrest at the hands of the respondent for the alleged offence under Sections 120-B, 420, 465, 468 and 471 of IPC in Crime No.228 of 2025, seeks anticipatory bail.

2.The case of the prosecution is that the subject matter of property is originally belong to one Kamala, who is the aunt of the defacto complainant. She died on 21.11.2019. Her mother is one Janaki. The said Janaki is the only legal heir of Kamala and to substantiate the same, a legal heirship certificate has been obtained. It is alleged that the petitioner and other accused colluded with each other to grab the subject matter of the property and for which, they had also created a forged Non-Traceable Certificate on 15.06.2020, as if the original sale deed in Document No.7321 of 2016 was lost by Janaki and by producing the fake Non-Traceable Certificate before the Sub-Registrar, Kadpadi, a sale deed had been executed by Janaki, in her capacity of only surviving legal heir of Kamala, in favour of the 1st accused in Document No.3519 of 2020. When the defacto complainant had applied for encumbrance certificate over the subject matter of the property, he came to know about the fraud played by the 1st accused and other accused persons. Hence, the complaint.



WEB COPY

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and has not committed any offence as alleged by the prosecution and has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor and the learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the Janaki who is the executor of the sale deed is the only legal heir of Kamala and title holder of the property, major allegation is fabrication of non-traceable certificate of sale deed, hence I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 learned **Judicial**



WEB COPY

Magistrate, Katpadi on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum 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 fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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 petitioner shall report before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as when required for the interrogation;

[d] if any sample signature is required for investigation purpose, he shall cooperate for the same.

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



WEB COPY



Crl.OP.No.21789 of 2025

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]**;

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

23.09.2025

smv

To

- 1.The Inspector of Police,
Katpadi Police Station,
Vellore District – 632 007.
- 2.Judicial Magistrate, Katpadi.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.21789 of 2025

K.RAJASEKAR, J.

smv

Crl.O.P.No.21789 of 2025



WEB COPY



CrI.OP.No.21789 of 2025

23.09.2025