



Crl.O.P.No.22730 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22730 of 2025

1.Shaira Banu
2.Shamsuddin

... Petitioners

Vs.

The State rep by,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.473 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of
arrest in connection with Crime No.473 of 2025 on the file of respondent Police.

For Petitioners : Mr.V.Gunasekar

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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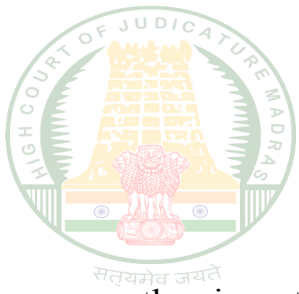
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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **420, 465, 468, 471 of IPC and Section 82(d) of Registration Act**, in **Crime No.473 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. On a complaint given by one Mohamed Asif alleging that his property has been fraudulently sold to a third party by forgery and fraud. Further the accused persons are making attempt to get the compensation for the land which was acquired by the Southern Railway. Hence, the complaint.

3. The learned counsel appearing for the petitioners states that so far they have not received any compensation and they are ready to give no objection for the defacto complainant to receive the compensation amount. The respondent police is yet to probe into the alleged forgery and fraud, since the property already been acquired by Railways. He further submitted that custodial interrogation of the petitioners are not required. The petitioners will co-operate with the investigation and the respondent police shall proceed based on the out come of



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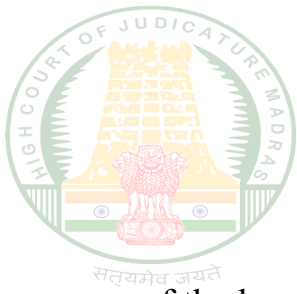
the investigation. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioners, reiterated the prosecution case.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made on either side, 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, **on or before 28.08.2025**, before the learned **Judicial Magistrate-I, Kallakurichi**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate on or before 28.08.2025, 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 respondent police daily at 10.30 a.m., until further orders;

[e] 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]**;

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

18.08.2025

dna



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To
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1.The Judicial Magistrate-I, Kallakurichi.

2.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.473 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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