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Crl.O.P.Nos.22563 and 22682 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM
THE HONOURABLE MR JUSTICE K. RAJASEKAR

**CRL OP NOS.22563 and 22682 of 2025
and CRL MP NOS.16548 and 16595 of 2025**

1. S. Ramesh
2. B. Manoj ... Petitioners in Crl.O.P.No.22563 of 2025/ A4 & A5
3. D. Daniel
4. A. Mylsamy ... Petitioners in Crl.O.P.No.22682 of 2025/ A2 & A3

Vs

The State rep. by,
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore District,
(Crime No.422 of 2025)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the
petitioners/accused in the event of arrest in Crime No.422 of 2025 registered
on the file of the respondent police.

For Petitioners in Crl.O.P.No.22563 of 2025 : Mr. S.N. Arunkumar
For Petitioners in Crl.O.P.No.22682 of 2025 : Mr. V. Muthupandi
For Intervener : Mr. K. Vansathanayagan

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



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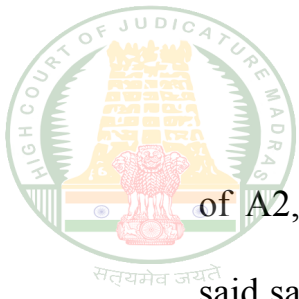
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ORDER

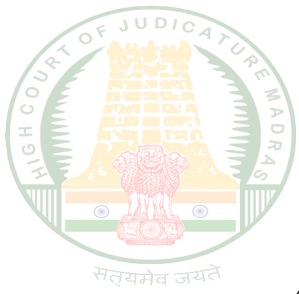
The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 419, 467, 468 and 471 of IPC in Crime No.422 of 2025 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband namely Subramaniam @ Subramanian purchased a property situated in S.F.No.325/1A/1A of Sarkarsamakulam village measuring 2400 square feet through a sale deed dated 20.03.1987 registered as Document No.569 of 1987; that thereafter, the defacto complainant's husband entered into a registered sale agreement, vide Document No.15180 of 2012 dated 20.12.2012 with the brother of the defacto complainant namely Prabhakaran; that whileso, the defacto complainant's husband died on 08.03.2021 leaving behind the defacto complainant and her daughter as his legal heirs; that thereafter, the petitioners herein colluded with other accused persons with an intention to grab the said property of the defacto complainant, A1 impersonated the defacto complainant's husband after his death and executed a sale deed dated 19.12.2023 in respect of the above said property in favour



of A2, vide Document No.25204 of 2023 and during the execution of the said sale deed, A1 submitted an indemnity deed, through which he purported to cancel the registered sale agreement, Document No.15180 of 2012 dated 20.12.2012 entered between the defacto complainant's husband and her brother Prabhakaran. Hence, this case.

3. The learned counsels appearing for the petitioners submitted that the petitioner/ D.Daniel is the genuine purchaser of the property, vide Document No.25204 of 2023 dated 19.12.2023, the petitioners/ A.Mylsamy and S.Ramesh stood as witnesses to the said sale deed and the petitioner/ B.Manoj is an Advocate, who prepared the said sale deed; that they are not aware of the alleged impersonation and the fraud committed by A1; that further there are civil suit pending between the petitioner/ D.Daniel and the defacto complainant in O.S.Nos.121 of 2024 and 241 of 2024 in respect of the property. He further submitted that the co-accused/ A6 namely Sankaramoorthi, who is the Sub-Registrar granted anticipatory bail by this Court, vide order dated 05.08.2025 in Crl.O.P.No.20877 of 2025; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.



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4. The learned counsel appearing for the intervener raised strong objection for grant of anticipatory bail to the petitioners by stating that the petitioners herein in order to grab the defacto complainant's property entered into conspiracy with other accused, executed a sale deed in favour of A2 by means of impersonation. He further submitted that A2 in order to escape from the clutches of the law, filed a civil suit in O.S.No.121 of 2024, pending before the Hon'ble IV Additional District Court, Coimbatore with an intention of projecting the matter as a civil dispute, that thereby giving a civil colour to the criminal proceedings. He also submitted that the photograph of the original owner in the registered sale agreement executed by the defacto complainant's husband in Document No.15180 of 2012 differs from the sale deed dated 19.12.2023 in Document No.25204 of 2023 executed by A1, which clearly shows impersonation and the same is apparent to naked eye, however the accused persons colluded together and executed the sale deed in favour of A2 for unlawful gain to all the accused.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are



totally six accused in this case and the petitioners herein are arrayed as A2 to A5; that A2 is concerned one previous case of similar nature is pending against him in DCB, Coimbatore.

6. I have considered the submissions made on either sides and perused the materials available on record.

7. On perusal of the record, it shows that there are documents to show that the original owner had entered into agreement of sale and the same is registered in Document No.15180 of 2012, the fact that the petitioners herein who are the purchaser, witnesses and drafter of the sale deed in Document No.25204 of 2023 could have seen the photograph of the original owner in the agreement of sale. However, they entered into a sale deed with an impersonator/ A1, who is said to have been hailing from Maharashtra and A1 without any valid title deeds executed sale deed in favour of A2, hence identification of A1 in this case is very much necessary.



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K. RAJASEKAR, J.

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8. Considering the above facts, taking note of the fact the petitioner/ A2 has involved in similar offence and the investigation of this case is pending, this Court is not inclined to grant anticipatory bail to the petitioners.

9. Accordingly, these criminal original petitions stand dismissed. Consequently, connected criminal miscellaneous petitions stand closed.

07.10.2025

stn

To

1. The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore District,
(Crime No.422 of 2025)
2. The Public Prosecutor,
High Court of Madras.

**CRL OP NOS.22563 and 22682 of 2025
and CRL MP NOS.16548 and 16595 of 2025**