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CRL OP No. 24596 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24596 of 2025

P. Arockiasamy,

Petitioner(s)

Vs

The State Rep. by Inspector of Police
Inspector of Police, Oomangalam
Police Station, Cuddalore District
Cr.No.112/2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in
the event of his arrest in the above Cr.No.112 of 2025 on the file of the
respondent

For Petitioner(s): Mr.Sathyaraj S

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



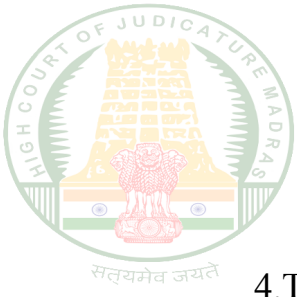
ORDER

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 423, 466, 468, 471 of BNS, 2023 and Section 82(a) of Registration Act, 1908, in Crime No.112 of 2025 on the file of respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused manipulated a legal heir certificate by omitting the name of the defacto complainant, who is a legal heir of the late Poorasamy, along with the accused. The accused then allegedly sold the property belonging to the late Poorasamy, depriving the defacto complainant of their rightful share. Hence, the complaint.

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



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4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner, who is the brother of the defacto complainant, allegedly obtained a legal heir certificate by suppressing the defacto complainant's name to grab the property of their late father, Poorasamy. Subsequently, the petitioner executed a gift settlement deed in favour of other family members, further depriving the complainant of her rightful share.

5.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6.After considering both submissions, the Court notes that a 60 year old petitioner is involved in a family property dispute with his sister, the defacto complainant. Allegedly, the petitioner obtained a legal heir certificate by misrepresentation. To resolve the issue, the Tahsildar, Panrutti, is directed to



investigate the issuance of the legal heir certificate and pass necessary orders.

The petitioner is directed to cooperate with the Tahsildar's inquiry. The

Tahsildar is instructed to conduct the inquiry in accordance with the law regarding the issuance of the said legal heir certificate.

7. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 District Munsif cum Judicial Magistrate Court, Neyveli** and the petitioner shall also execute a bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each (out of which one surety must be a blood related surety) 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 shall stand dismissed and on further condition



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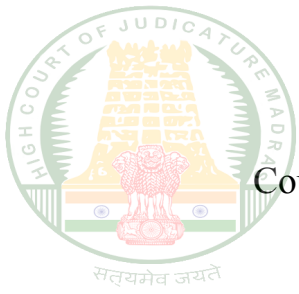
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for the period of eight weeks.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]**.

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[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of BNS.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Note : 1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To
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- 1.The State Rep. by Inspector of Police
Inspector of Police, Oomangalam
Police Station, Cuddalore District
Cr.No.112/2025
- 2.The District Munsif Cum Judicial
Magistrate Court, Neyveli.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Tahsildar Office,
Panruti, Cuddalore.



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T.V.THAMILSELVI J.

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