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Crl.O.P.No.25297 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.25297 of 2025

1.Manickam
2.Arunachalam
3.Raja

... Petitioners

Vs.

State Rep. By
The Inspector of Police,
District Crime Branch,
Salem District.
(Cr.No.9 of 2025)

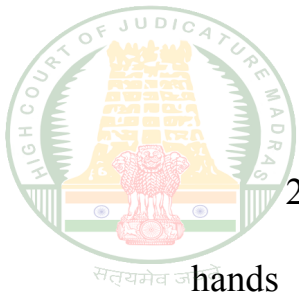
... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in event of their arrest, pending investigation in Crime No.9 of 2025 on the file of respondent police.

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

ORDER

The petitioners apprehend arrest for the alleged offence under Section **120(B), 465, 468, 471 of IPC and Section 82(A) of Registration Act in Crime No.9 of 2025**, on the file of the respondent police seek anticipatory bail.



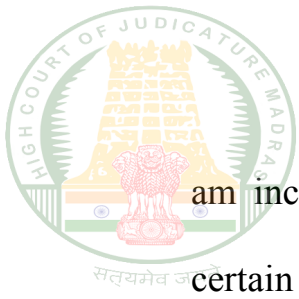
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2. The allegation against the petitioners is that the petitioners joined hands with other accused executed Settlement deed in favour of A2 by fabricating Death Certificate and legal heir certificate as the original owner who is none other than the mother of A1 and the defacto complainant. Hence, the complaint has been registered.

3. The learned counsel for the petitioner submitted that these petitioners are attestors in the document and the beneficiary is A2. A1 already deceased. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that based on the complaint lodged by another son, FIR has been registered but no one is arrested and the allegation is covered by execution of fabricating document. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the allegation against the petitioners is that execution of settlement deed by fabricating death certificates and legal heirs certificate and the overtact against the petitioners, I



am inclined to grant anticipatory bail to the petitioners 2 and 3, subject to certain conditions.

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6. As far as the first petitioner is concerned, the learned counsel for the petitioner seeks permission of this Court to withdraw the present petition and he has also made an endorsement to that effect. In view the same, the present petition in respect of A1 alone is dismissed as withdrawn.

7. Accordingly, the petitioners 2 & 3 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-6, Salem**, on condition that **the petitioners 2 & 3 shall execute a separate 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:

(a) If the petitioners 2 & 3 fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify



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proofs to ensure their identity;

(c) The petitioners 2 & 3 shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners 2 & 3 in accordance with law as if the conditions have been imposed and the petitioners 2 & 3 released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the petitioners 2 & 3 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The Judicial Magistrate No.6, Salem.
- 2.The Inspector of Police, District Crime Branch, Salem District.
- 3.The Public Prosecutor,High Court of Madras.

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