



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28596 of 2025

Prabhu

Petitioner(s)

Vs

State rep.by, The Inspector of Police,
Tharamangalam Police Station, Salem
District. (Crime No.396 of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the Petitioner on bail in the event of his arrest in Crime No.396 of 2025 pending investigation on the file of the respondent Police.

For Petitioner(s): Mr.T Dhasarathan

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



ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 197, 198, 294(b), 420, 467, 468, 471, 465, 506(2), 109 of IPC r/w 82(a) of Registration Act, 1908, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 23rd December 2011, she and her two sons acquired lands by way of partition measuring a total extent of 38 ½ cents in Desavillakku North Village comprised in R.S.Nos.86/3, 86/1B & 86/2A, and in possession of same. Earlier on 9th June 2011, they had granted a Power of Attorney to brother-in-law of the de-facto complainant and she came to know that her brother in law had sold the property to his wife using a forged Life Certificate by getting Encumbrance Certificate. When she questioned the same to A1, the accused had refused to return the land using verbally abused her and her sons, and threatened to kill them. Hence, the case.

3.The learned counsel for the petitioner submitted that a Memorandum of Understanding executed by the de-facto complainant and the matter has been



settled between the parties. He further submitted that the petitioner is ready to abide any stringent conditions that may be imposed by this Court and prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) for the respondent police reported that the Memorandum of Understanding executed by the de-facto complainant and the matter has been settled between the parties.

5.Considering the fact that the Memorandum of Understanding executed by the de-facto complainant and the matter has been settled between the parties, therefore, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Omaur, Salem District** on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees twenty thousand only), 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 of the said Magistrate, failing which, the



petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent as and when required for interrogation;

[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];**

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

28-10-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



CRL OP No. 28596 of 2025



WEB COPY

- 1.State rep.by, The Inspector of Police,
Tharamangalam Police Station, Salem
District. (Crime No.396 of 2025)
- 2.The Judicial Magistrate, Omalur,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 28596 of 2025



K.RAJASEKAR J.
gbi

**CRL OP No. 28596 of
2025**

28-10-2025