



CrI.O.P.No.27482 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.27482 of 2025

Kanagavalli

... Petitioner / A4

Vs.

The State rep by:
The Inspector of Police,
CCB, Land dispute Team IV,
Avadi, Chennai - 600 055.
(Crime No.82 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner an anticipatory bail in the event of his arrest in Crime No.82 of 2025 on the file of the respondent police.

For Petitioner : Mr.Ajai kumar
For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)
For Intervenor : Mr.S.Silambu Selvan



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468, 471 of Indian Penal Code, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that, in the year 1986, the complainant's father, one Kuppuswamy, along with his brothers Govindharaji and Rajaram, executed a partition deed in respect of several properties, registered as Document No.7559 of 1986. It is alleged that the petitioner attempted to grab the said property, hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the partition deed itself was executed in the year 2011 and that the petitioners have been in possession of the property ever since. He further submitted that the complaint has been lodged only recently and that several civil suits in respect of the same property are pending. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submitted that the petitioners, in collusion with each other, have suppressed the existence of other legal heirs and executed a partition deed in their own favour, thereby attempting to



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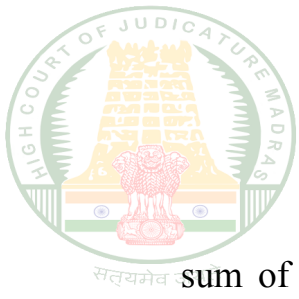
grab the property. Hence, he opposed the grant of anticipatory bail to the petitioner.

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. He further submitted that the FIR was registered only recently and that the investigation is still pending. Hence, he opposed the grant of anticipatory bail to the petitioner.

6. Heard the learned counsels on either side and perused the materials available on record.

7. Considering the allegation that the petitioners have created a partition deed without impleading the other legal heirs, which is said to have taken place in the year 2011, and further noting that the main allegation pertains to non-inclusion of legal heirs, I am of the considered view that custodial interrogation is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain condition.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-1 at Poonamallee**, on condition that the petitioner shall execute a bond for a



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sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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**



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Kerala [(2005)13 SCC 283];

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

15.10.2025

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To

1.The Judicial Magistrate-1 at Poonamallae.

2.The Inspector of Police,
CCB, Land dispute Team IV,
Avadi, Chennai - 600 055

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.,



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