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CRL.OP.Nos. 29498 & 29560 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL.OP.Nos. 29498 & 29560 of 2025

1.Govindhan @ Selvakumar	..Petitioner/A4 in Crl.O.P.No. 29498/2025
2.M.Krishnamurthi	..Petitioner/A5 in Crl.O.P.No. 29498/2025
3.A.Kannan	..Petitioner/A8 in Crl.O.P.No. 29560/2025

Versus

The State

Represented by

The Inspector of Police

CCB, Salem City

Crime No. 24 of 2025.

..Respondent

[in both Crl.O.Ps]

Common Prayer: Criminal Original Petitions filed under Section 482 of BNSS, praying to enlarge the petitioners/A4, A5 and A8 on bail in the event of their arrest a case in Crime No. 24 of 2025 pending investigation on the file of the respondent.

Crl.O.P.No.29498 of 2025:-

For Petitioner	:	Mr.Sivakumar
For Intervener	:	Mr.T.Shanmugam
For Respondent	:	Mr.S.Udayakumar, Government Advocate (Criminal Side)



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Crl.O.P.No.29560 of 2025:-

For Petitioner : Mr.Vasudevan Bramalingam
For Intervener : Mr.T.Shanmugam
For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)

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COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 417, 465, 466, 461, 468 and 471 of IPC in Crime No.24 of 2025 on the file of the respondent Police, seek anticipatory bail.

2.The allegation against the petitioners is that the petitioners joining with other accused had involved in fabrication of legal-heir certificate and on the strength of the legal-heir certificate, they had executed release deed in favour of A1-Kanagalakshmi and thereafter, on the strength of the release deed dated 08.04.2025, the petitioners along with A1 created fraudulent sale deed dated 24.04.2025 in the name of A6 and A7 and sold the property to other accused persons. A3, A4, A5 and A8 are the brokers and they helped to the 1st and 2nd accused to create fake release deed as well as the



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sale deed. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners are the witnesses to the documents, such as, release deed, sale deed and also scribe respectively. He further submits that they were not aware of the fabrication of the legal-heir certificate and the petitioners herein are the brokers. He further submits the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned counsel for the Intervener/De-facto complainant submitted that the petitioners are very well aware about the other co-sharers that they were also claiming the property and A1 & A2 and the petitioners herein sold the property to the other accused by creating and fabricating legal heir certificate and other documents. Therefore, the learned Counsel opposed for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submits that totally 9 accused involved in this case. The petitioners are arrayed as A4, A5 and A8. He further submits that the petitioners are only attestors and scribe of the documents, such as, release deed, sale deed. He further submits that there are no allegations against the petitioners herein regarding the fabrication of legal heir certificate. He further submits that investigation has been pending against the petitioners. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the fact that the petitioners are only attestors and scribe of the subsequent documents, such as, release deed & sale deed and the petitioners were not participated in the fabrication of the legal heir certificate; that investigation has not yet completed in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event



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of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.V, Salem**, on condition that the petitioners shall execute a 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 that:

(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen 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 petitioners shall report before the respondent police at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.



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[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

30.10.2025

MSM

To

1.The Judicial Magistrate No.V, Salem.

2.The Inspector of Police

CCB, Salem City

Crime No. 24 of 2025.

3.The Public Prosecutor, High Court, Madras.

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