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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29549 of 2025

1. Shaffi
2. Ismail

... Petitioners

Vs.

State Rep. By its:-
The Inspector of Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.
Crime No.16 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of their arrest in Crime No.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioners herein apprehending arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 419, 420, 465, 467, 468, 471 of IPC in Crime No.16 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 defacto complainant had purchased the property from one Manoharamma and the same was registered in the year 1996 in Document No.2832 and he is in possession and enjoyment of the said property. While being so, the defacto complainant came to know that one Shanmugam (A1) had impersonated and sold the property to one Mathialazan (A2) and the same was registered in D.No.11186/2023. Thereafter, the said Mathialazan (A2) suppressed the fact and sold the vacant land to the petitioners, who is the present purchaser of the property and the same was verified and registered by the Sub Registrar, Hosur in D.No.15258/2023. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners never cheated or impersonated. There are no offences made against these petitioners who are only the purchasers of the property and the main accused are A1 & A2. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous cases pending against the petitioners. He further submitted that, investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the submissions made by the learned counsels on either side and also considering the fact that there is no specific overt act as against the petitioners, they are alleged to have purchased the property from main accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Hosur**, on condition that the petitioner shall execute a



bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 fail 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 petitioners shall report before the concerned Judicial Magistrate on all working day 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

05.11.2025

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To

1. The Inspector of Police,
District Crime Branch, Krishnagiri,
Krishnagiri District.
2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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