



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29622 of 2025

1. JAYARAMAN

2. SHANMUGAM

Petitioner(s)

Vs

State rep. by The Inspector of Police

CCB, Salem City. Crime No. 24/2025. Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail, in the event of their arrest, in Crime No.24 of 2025 on the file of the Inspector of Police, CCB Salem City.

For Petitioner(s): Camyles Gandhi W

For Intervenor Mr.T.Shanmugam

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

**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 case of the prosecution is that A1 and A2 created forged heirship certificate as A1 and A2 are only legal heirs of C.Perumal, leaving the other legal heir Dhanam and on the strength of legal heir certificate A2 executed release deed dated 08.04.2025 in the name of A1 in Salem East Sub Registrar Office as Doc.No.1650/2025. Further A1 created sale deed dated 24.04.2025 in the names of the petitioners/A6 and A7 herein as Doc.No.1974/2025. The other accused A3, A4, A5 and A8 are brokers and they were alleged to have helped A1 and A2 to create a fake deeds and despite knowing the same, the petitioners were joined as purchasers to defraud the defacto complainant. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are



the bonafide purchasers and they are no way connected with the alleged fake legal heirship certificate and release deed. 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.

5.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 A6 and A7 and earlier, this Court has already granted anticipatory bail for A4, A5 & A8 in



CRL.OP.Nos. 29498 & 29560 of 2025 dated 30.10.2025. He submitted that in order to defraud the defacto complainant these petitioners stood as purchasers of the property and they colluded with other accused in fabrication of the documents. He further submits that investigation has been pending against the petitioners. Therefore, he opposed for grant of anticipatory bail to the petitioners.

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

7. Considering the submissions made by the learned counsel for the petitioners that the petitioners are only purchasers of the subject property and they had not colluded in the fabrication of the documents; that investigation has not yet completed in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the



event 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 separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** each **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.

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- 1.State rep. by The Inspector of Police
CCB, Salem City. Crime No. 24/2025.
- 2.The Judicial Magistrate 5, Salem.
- 3.The Public Prosecutor,
High Court of Madras.



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