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Crl.OP.No. 29756 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 29756 of 2025

1.Nazeer Ahamed @ Nazeer Khan

2.Iyuup @ Ayooob Khan

3.Aslam Basha @ Aslam

Petitioners

Vs

The State rep. by

The Inspector of Police

Ambut Town Police Station

Tirupathur, Tamil Nadu

Crime No. 824 of 2021.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest pending investigation in Cr.No. 824 of 2025 on the file of the respondent police.

For Petitioners : Mr.Vishnu P

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) IPC in Crime No.824 of 2025, on the file of the respondent Police, seeks



anticipatory bail.

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2. The case of the prosecution is that the petitioners had trespassed into the house of the de-facto complainant and taken away the sale deed of his property and other revenue documents of the de-facto complainant. Subsequently, the de-facto complainant and his brother had approached “Jamaat” by raising complaint against the petitioners herein and after conciliation, the de-facto complainant received all those documents except the sale deed of his property. Hence the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He submits that the petitioners are the close relatives of the de-facto complainant's wife. He further submits that they have not committed any offence as alleged by the prosecution. He also submits that 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.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the petitioners had entered into the house of the de-facto complainant and had taken away the sale deed and other revenue documents belongs to the de-facto complainant. He further submits that investigation has almost been completed. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the fact that the petitioners had been returned some documents to the de-facto complainant; that already negotiation were held between the parties; that investigation is also completed and the submissions made by learned counsels on either side this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. 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, Ambur**, on condition that the petitioners 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 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 daily at 10.30 a.m for a period of fifteen days 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 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 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.

03.11.2025

MSM

To

1.The Judicial Magistrate, Ambur.

2.The Inspector of Police

Ambut Town Police Station

Tirupathur, Tamil Nadu

Crime No. 824 of 2021.

3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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