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Crl.O.P.No.3441



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.34412 of 2025

1.Shylaja
2.Rajeshwari
3.S.Karupannan
4.Naveen
5.Balakrishnan

... Petitioners

-VS-

State Rep by,
The Inspector of Police
District Crime Branch,
Salem District.
(Crime No.02 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of their arrest in Crime No.02 of 2024 pending investigation on the file of the respondent police.

For Petitioners : Mr.N.Vijaya Basker

For Respondent : M/s.J.R.Archana

Government Advocate (Crl.Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 468, 471 & 420 of IPC in Crime No. 02 of 2024, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioners joined hands with other accused, involved in fabricating the legal heir certificate and sold the land belong to the defacto complainant in the year 2023. Hence the complaint has been lodged.

3. The learned counsel for the petitioners would submit that already in this case, A3 and A4 were arrested and released on bail and the petitioners are ranked as A1, A2, A5, A6 & A7 and it is alleged that the petitioners herein fabricated the documents and executed the sale deed but already this Court in A.S.No.48 of 2013 by order dated 07.12.2023 declared that the petitioners herein are having title over the property alleged to have been owned by the defacto complainant in this case. He further submitted that they are ready to co-operate with the investigation. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that already A3 and A4 were arrested and released on bail and the investigation in this case is pending. Hence, opposed to grant anticipatory bail to the petitioners.



5. Considering the fact that the allegations against the petitioners herein are borne out of records, I am of the view that custodial interrogation is not necessary, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-VI, Salem District**, on condition that **the petitioner shall execute a separate 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:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioners shall report before the**



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respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.12.2025

mpa

To

- 1.The Judicial Magistrate-VI, Salem District.
- 2.The Inspector of Police
District Crime Branch,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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