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CRL OP No. 35662 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35662 of 2025

Krishnan
S/o, Vaithiyanathan,
No.10A, Agrharam,Nadakudi,
Veethivilangan, Nannilam Taluk,
Thiruvarur District.

Petitioner(s)

Vs

State Rep.by,
The Inspector of Police,
Nannilam Police Station,
Thiruvarur District.
(Crime No.241 of 2025)

Respondent(s)

PRAYER:The criminal original petition filed under Section 438 of Cr.P.C (482 of BNSS Act) to enlarge the petitioner on Anticipatory Bail in the event of his arrest pending investigation in Crime No. 241/2025 on the file of the respondent.

For Petitioner(s): Mr.T. Muruganantham

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

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 406, 417, 420, 465, 467 and 468 of IPC, in connection with the case in Crime No.241 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that the de facto complainant purchased a house site of an extent of 310 sq.mt or 3,300 sq.ft situated in survey No.191/2 (Old No.19/1) Thattathimalai Gramam, Nannilam Taluk, Tiruvarur District from the petitioner and his brother Balakrishnan by way of a registered sale deed as document No.2282 of 2010 on 08.06.2010 in the office of S.R.O.Nannilam, which is a Poramboku land.

3.Learned counsel for the petitioner would contend that it is only an error committed by the officials. A necessary petition has been filed to correct the error and the same is pending consideration. He further submits that the petitioner is a law-abiding citizen, there is no previous case against him and he is ready to abide by any stringent conditions imposed by this Court and his brother/co-accused has already been granted anticipatory bail. Hence, he prays that this Court may be pleased to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) would submit that the accused sold the land in favour of the de facto complainant is a poramboku land and investigation is pending and strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the



materials available on record.

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6. Considering the nature of the offences, the pendency of a property dispute between the parties, the fact that the co-accused has already been granted anticipatory bail, and that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Nannilam**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



[b] the petitioner shall report before the respondent police every **Saturday at 10.30 a.m for a period of four weeks.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

30-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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Note:

1. Registry is directed to forthwith upload this order in the official website of this Court.

2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. Judicial Magistrate
Nannilam.

2. The Inspector of Police,
Nannilam Police Station,
Thiruvarur District.
(Crime No.241 of 2025)

3. The Public Prosecutor
High Court, Madras.



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P.DHANABAL J.

srm/sms

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