



CRL.OP(MD). No.1394 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.1394 of 2025

and

CRL.OP(MD). No.1471 of 2025

Ravichandran

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.2 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.2 of 2025 on the file of the respondent-police.

For Petitioner : Mr.A.Uthayakumar,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

For Intervener : Mr.N.Juliet Latha,
Advocate



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 22.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 468, 471 and 120(B) of IPC in Crime No.2 of 2025 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the defacto complainant's husband was the exclusive owner of S.Nos.3/1 and 3/5 and the revenue records also stood in his name. That apart, he was also the joint owner of S.No.3/7. Further that the defacto complainant's husband died in the year 1997 and taking advantage of the same, A2 executed a power of attorney in favour of A1 for all the properties in the year 2010. Based on that power of attorney A1 executed sale deed in favour of A3 and subsequently, A3 executed a gift deed in favour of A4.

4. The petitioner, who is arrayed as A1, was already granted interim pre-arrest bail by this Court on 24.01.2025. The relevant portions of the said order are extracted hereunder:

“3.The learned Counsel for the petitioner submitted that insofar as S.Nos.3/1 and 3/5 are concerned, the petitioner is giving an



undertaking that the sale deeds will be cancelled within a period of four weeks. He further submitted that insofar as S.No.3/7 is concerned, the husband of the defacto complainant does not have any right over the property.

4.The learned Counsel for the defacto complainant submitted that the revenue records continued to stand in the name of the defacto complainant's husband and that the defacto complainant is in possession of the property.

5.Heard the learned Counsel appearing on either side.

6. Taking into consideration the specific stand taken by both sides and the undertaking given by the petitioner, this Court is inclined to grant interim anticipatory bail to the petitioner subject to the following conditions:

(i) 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 Judicial Magistrate No.II, Ramnathapuram.



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(ii) 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.

(iii) the petitioner shall take immediate steps to cancel the sale deeds executed with respect to the property in S.No.3/1 and 3/5 within a period of four weeks from the date of receipt of a copy of this order.

7.Post the matter on 24.02.2025.”

5. Mr.A.Uthayakumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submits that the conditions imposed by this Court in the order dated 24.01.2025 have been duly complied with, and that cancellation deeds have been executed and registered on 20.03.2025, bearing Document Nos. 434 of 2025 and 455 of 2025, at the Sub-Registrar Office, Mudhukulathur, in respect of Survey Nos. 3/1 and 3/5, situated at Kakkoor Village. He also submits that the petitioner is willing to abide by any conditions that may be imposed by this Court. Accordingly, he prays that an order of pre-arrest bail be granted to the petitioner.



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6. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent police, confirms that the conditions imposed in the order dated 24.01.2025 have been duly complied with by the petitioners.

7. Heard on either side. This Court has perused the records.

8. In view of the compliance of the earlier order, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Ramanathapuram District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Ramanathapuram District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.



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(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra. Consequently, the connected miscellaneous petition is closed.

sd/-
03/04/2025

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/04/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM DISTRICT.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM
- 3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER IN
CRL OP(MD) No.1394 of 2025
Date :03/04/2025

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Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023