



CRL OP(MD)No.5434 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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1.Annadurai
2.Ayyanathan

... Petitioners / Accused Nos.3 & 4

Vs

State of Tamil Nadu rep. by
The Inspector of Police
District Crime Branch
Thanjavur District
Crime No.24 of 2023

... Respondent

For Petitioner : Mr.R.Alagia Nambi

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.24 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners/ Accused Nos.3 & 4, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 406, 419, 423, 465, 467, 468, 471, 420, 120-B of I.P.C, 1860 in Cr.No.24 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there is a joint family property belonging to the defacto complainant and his brother Chellamuthu in Survey No.40/22 to an extent of 10 cents. The patta stands in the name of Chellamuthu. In the year 2019, the son of Chellamuthu along with one Jaisanker forged the documents and changed the patta in his name vide Document No.2429/2019 dated 06.09.2019. Hence, the present complaint.

3.The learned Counsel for the petitioners would submit that there is a civil dispute between the defacto complainant and the said Jaisanker. The civil dispute was amicably settled between the parties and the same was registered. After amicable settlement, the petitioners signed as witnesses in the document. He further submits that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that totally four accused in this case. The defacto complainant's



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brother's son had colluded with others and forged the document and changed patta
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in his name. Accused Nos.1 and 2 were already enlarged on bail. The petitioners had signed as witnesses in the document.

5. Considering the nature of the allegations levelled as against the petitioners and considering the fact that Accused Nos.1 & 2 were already enlarged on bail and also on perusal of FIR shows that the petitioners had signed as witnesses in the document, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 District Munsif Cum Judicial Magistrate Court, Orathanadu, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 condition that:

[a] the petitioners 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



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card or Bank Pass Book to ensure their identity.

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[b] the petitioners shall report before the respondent Police every Monday and Friday at 10.30a.m. until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
09/05/2025

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/05/2025

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

MSA



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- TO
- 1 THE DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE, ORATHANADU,
THANJAVUR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.ALAGIA NAMBI, Advocate (SR-5504[I] dated 13/05/2025)

ORDER
IN
CRL OP(MD) No.5434 of 2025
Date :09/05/2025

SS/SAR- /26/05/2025/ 5P/6C

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