



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-11-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

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CRL OP(MD) NOs. 5306, 6794, 11188 of 2024

CRL OP(MD) NO. 5306 of 2024:

M.Sudarmani

Petitioner(s)

Vs

The State Rep. by,
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
Crime no.59 of 2024.

Respondent(s)

For Petitioner(s): Mr.Aayiram K.Selvakumar

For Respondent(s): Mr.A.S.Abul Kalaam Azad, Government Advocate (Crl.side)

For Intervenor : Mr.Henry Tiphagne

Prayer:

C-24AB. For Anticipatory Bail in Crime no.59 of 2024 on the file of the Respondent Police.

CRL OP(MD) NO. 6794 of 2024:

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Petitioner(s)

Vs

1. The Superintendent of Police
Office of the Superintendent of Police
Tirunelveli
Tirunelveli District.



2. The Superintendent of Police
Crime Branch Criminal Investigation Department (CBCID)
South Zone
No.220 Pantheon Road
Egmore
Chennai - 600 008.

3. The Inspector of Police
Nanguneri Police Station
Tirunelveli District.
(Crime No.59/2024)

4. The Inspector of police
Crime Branch Criminal Investigation Department
(CBCID)
Perumalpuram
Tirunelveli District.

Respondent(s)

For Petitioner(s): Mr.Henri Tiphagne

For Respondent(s): Mr.A.S.Abul Kalaam Azad, Government Advocate (Crl.side)

Prayer:

C-47D.To transfer the investigation from 3rd Respondent office to the 4th Respondent office for conducting fair and impartial investigation in Cr.No.59 of 2024 on the file of Respondent No.3 and to direct the 4th Respondent to file periodic reporting to this Court on the progress made in the investigation.

CRL OP(MD) NO. 11188 of 2024:

Selvapandian

Petitioner(s)

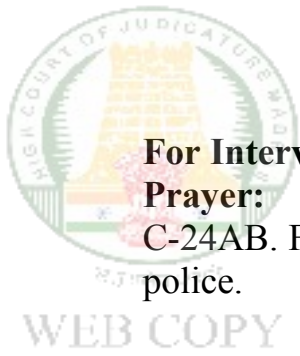
Vs

State Rep. by,
The Inspector Of Police
Nanguneri Police Station
Tirunelveli District.
Crime No. 59/2024.

Respondent(s)

For Petitioner(s): Mr.N.Dilip Kumar
for Mr.P.Balamurugan

For Respondent(s): Mr.A.S.Abul Kalaam Azad, Government Advocate (Crl.side)



For Intervenor : Mr.Henry Tiphagne

Prayer:

C-24AB. For Anticipatory Bail in Crime No.59 of 2024 on the file of the Respondent police.

ORDER

The petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B) and 420 of IPC in Crime No.59 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the properties comprised in Survey Nos. 585/4, 585/5, 585/6, 585/7, 596/1, 596/2, 596/3, 596/4, 595/1, 595/1, 598/2, 598/2, 586/1, 586/4, 586/5, 592-2A, 592/2B, 592/2C, 592/3, 592/4, 593, 594/1, 592/2, 597/8, 597/4, 597/16A, 583/1, 583/2, 597/13A, 597/6A, 597/26A and 597/16 belongs to the defacto complainant's own brother namely Sailus, Sailus's wife Santhamany and their son namely Jackson. They have purchased the property on 12.08.1968 through Document Nos.4251, 4252 and 4253/1986. Subsequently they are in peaceful possession and enjoyment of the property. While being so in the year 2003, the accused No.1 has created a forged document and impersonated the death person record and signature and transferred the said properties to various persons. Further all the accused persons including the petitioner have a common intention to deceive the defacto complainant's brother and his family members and have created a forged document and transferred the properties to other accused. Hence, the apprehension of arrest. Hence, a case has been registered as against the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024.

3.The learned Counsels appearing for the petitioners submitted that the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024. have been falsely implicated in this case and they have not committed any offence. They seek this Court to grant anticipatory bail to the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024.

4.The learned Government Advocate (Crl. side) appearing for the respondent



submitted that the offences committed by the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 are serious in nature.

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5.Primafacie it is seen that there is civil transaction. The petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 have purchased from one Savariammal. The said Savariammal has purchased from some other person. It is not known how the said Savariammal purchased the property. Since the petitioners in CRL OP(MD)Nos. 5306 and 1118 of 2024 are the subsequent purchasers, the question whether they are bonafide ought to be considered at the time of trial.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 with certain conditions.

7.Accordingly, the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 are ordered to be released on bail in the event of arrest or on their appearance, 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 Learned Judicial Magistrate, Nanguneri, within a period of fifteen days from the date on which the order copy made ready and on further conditions that:

[a]the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 and the sureties shall



affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 shall report before the respondent police as and when required.

[c]the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners in CRL OP(MD)Nos.5306 and 1118 of 2024 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 is 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

8.The petition in CRL OP(MD)NO.6794 of 2024 is filed by the defacto complainant to transfer the investigation from 3rd respondent office to the 4th respondent office for conducting fair and impartial investigation in Crime.No.59 of 2024 on the file of Respondent No.3 and to direct the 4th respondent to file periodic reporting to this



Court on the progress made in the investigation.

9. This Court is inclined to dismiss CRL OP(MD)NO.6794 of 2024 filed by the defacto complainant to transfer the investigation.

18-11-2025

Tmg (1/2)

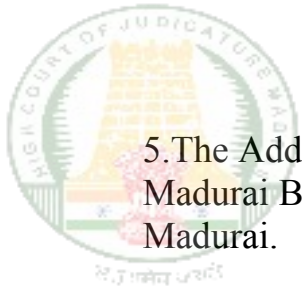
To

1. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

2. The Superintendent of Police
Office of the Superintendent of Police
Tirunelveli
Tirunelveli District.

3. The Superintendent of Police
Crime Branch Criminal Investigation Department (CBCID)
South Zone
No.220 Pantheon Road
Egmore
Chennai - 600 008.

4. The Inspector of police
Crime Branch Criminal Investigation Department (CBCID)
Perumalpuram
Tirunelveli District.



5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

6. Judicial Magistrate,
Nanguneri.

