

CRL OP(MD). No.7516 & 7534 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

CRL OP(MD)Nos.7516 and 7534 of 2025

Arunachalam

... Petitioner in Crl.O.P.
(MD)No.7516/2025

Kavitha

... Petitioner in Crl.O.P.
(MD)No.7534/2025

Vs

The State of Tamil Nadu,
By the Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
[Crime No.193 of 2025]

... Respondent in
both petitions

In both petitions:

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

For Intervenor : Mr.P.Veerapandi

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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COMMON PRAYER :-

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For Anticipatory Bail in Cr.No.193 of 2025 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 467, 468, 470 and 471 of IPC in Cr.No.193 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused persons taking advantage of the illiteracy of the defacto complainant's mother created forged documents in respect of their ancestral property and sold the same to the third accused. Hence, the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners did not involve in any of the offences as alleged by the prosecution. The petitioners are innocent and they are falsely implicated in this case. The petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioner.

4.The learned counsel for the intervenor submits that the accused persons fraudulently created the legal heir certificate and sold the ancestral property of the intervenor. He would further submit that a civil suit for partition is also filed and



pending before the competent civil Court in O.s.No.301 of 2020.

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5.The learned Additional Public Prosecutor appearing for the respondent police would submit that the mother of the defacto complainant approached the first and second accused for financial help. The first and second accused after giving money to the mother of the defacto complainant fraudulently obtained legal heir certificate as if the mother of the defacto complainant is the only legal heir to her husband. By using the said certificate, they sold the property to the third accused. Further, A1 in this case was released on bail and the investigation of the case is in initial stage.

6.Considering the fact that the co-accused in this case is enlarged on bail and also taking note of the fact that the defacto complainant has filed a civil suit seeking the relief of partition in O.S.No.301 of 2020, which is pending on the file of the Sub Court Devakottai, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate, Devakottai, 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



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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 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 daily at 10.30 a.m. until further orders.

[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 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].

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

Sd/-

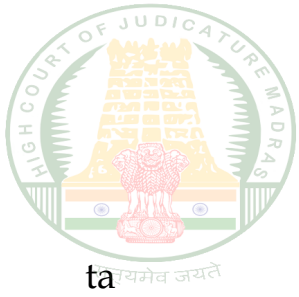
09/05/2025

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/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai



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TO

- 1.The Judicial Magistrate,
Devakottai
- 2.Do Through
The Chief Judicial Magistrate,
Sivagangai.
- 3.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.VENKATESH, Advocate (SR-5489[I] dated 12/05/2025)

ORDER IN
CRL.OP(MD).No.7516 and 7534 of 2025
Dated :
09.05.2025

BV(26/05/2025) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.