



Crl.O.P(MD).No.7609 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 10.07 .2025

Pronounced on : 30.07.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.O.P(MD).No.7609 of 2025

and

Crl.M.P(MD)No.7524 of 2025

U.Manojkumar
S/o.Uthayakumar

...Petitioner/ Accused No.2

Vs.

The State of Tamilnadu rep. by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
(Crime No.69 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner/ Accused No.2 on anticipatory bail in the event of arrest in Crime No.69 of 2025, dated 14.03.2025 on the file of the respondent police.

For Petitioner : Mr.I.Pinaygash
For Respondent : Mr.S.Prakash
Government Advocate (Crl.side)
For Intervenor : Mr.R.Maheswaran



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ORDER

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The petitioner seeks bail on apprehension of arrest by the respondent police for the alleged offences U/s.296(b), 126(2), 336(3), 340(2), 351(2) of BNS and U/s.4 of TNPHW Act, 2002, in Crime No.69 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the accused in the case, including the petitioner, created a forged document in respect of the defacto complainant's property and illegally entered into the property and dug the land with JCB. It is also alleged that the accused abused the defacto complainant and threatened him with dire consequences.

3. The learned counsel for the petitioner has submitted that the petitioner is Accused No.2, the defacto complainant lodged a complaint on 14.03.2025 for the alleged occurrence that took place on 06.02.2025. The petitioner purchased the property from one Mookammal and the property was declared in favour of the petitioner by the Lok Adalat Case No.646/2023 on 18.08.2023. The

encumbrance certificate showed the fact. The defacto complainant alleged that he purchased Plot No.136 measuring 4.61 cents, but the entire extent of 4 acres 42 cents is absolute property of the petitioner. The petitioner has filed an encumbrance



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certificate from 2000 to 2025. The dispute is purely civil in nature, the defacto complainant coloured it in criminal nature. The coaccused was granted bail by the lower Court. Therefore, the petitioner may be granted anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner and coaccused illegally entered into the property and committed the alleged offences set out in the FIR. The investigation is pending. Hence, he prays for dismissal of this petition.

5. The learned counsel for the defacto complainant/intervenor has argued that the defacto complainant purchased property in S.No.29/1A1, but the petitioner owned property in S.No.29/1C1. The petitioner forged the documents and illegally entered into defacto complainant's property with JCB and dug the land. So, the petition may be dismissed.

6. Heard and perused the available records. It is seen from the records that the petitioner entered into sale agreement with Mookammal on 04.12.2019. A civil suit in O.S.No.26/2023 on the file of the Additional Sub Court, Tirunelveli was filed between them and the matter was referred to Lok Adalat, in which the property was declared



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as property of the petitioner in Lok Adalat Case No.646 of 2023 as seen from the WEB COPY typed set of papers. The defacto complainant made a rival claim in property in same survey number 29. There is a subdivision found in S.No.29. The petitioner produced an encumbrance certificate for 25 years from 2000. So, the dispute between the parties is purely civil in nature. Moreover, the alleged occurrence took place on 06.02.2025, complaint was lodged on 14.03.2025. There is no necessity for interrogation of the petitioner, since the alleged offences are based on records. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with 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 No.I, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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.I, Tirunelveli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(a) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate concerned may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

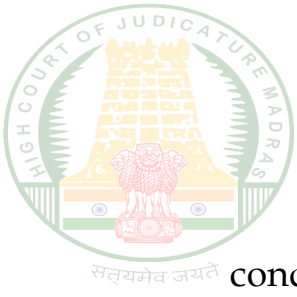
(b) The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.I, Tirunelveli. If the petitioner change his residential address, he shall report the same to the learned Judicial Magistrate No.I, Tirunelveli;

(c) On release, the petitioner shall appear and sign before the Inspector of Police of respondent police station daily at 10.00 a.m. until further orders;

(d) The petitioner shall not abscond either during investigation or trial and he shall cooperate for the investigation;

(e) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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conditions have been imposed and and if there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560 and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023. Consequently, the connected Miscellaneous Petition is closed.

sd/-
30/07/2025

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/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

To

- 1.The Judicial Magistrate No.I,
Tirunelveli.
2. Do through The Chief Judicial Magistrate,
Tirunelveli District.



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3. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

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

+1 CC to M/s.I.PINAYGASH, Advocate (SR-8230[I] dated 31/07/2025)

ORDER
IN
Crl.O.P(MD).No.7609 of 2025
and
Crl.M.P(MD)No.7524 of 2025
Date :30/07/2025

AS/07.08.2025/7P/6C

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