

CRL OP(MD). Nos.8381 & 8449 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). Nos.8381 & 8449 of 2025

1.Muthuraj ... Petitioner in Crl.O.P.(MD)No.8381 of 2025/ A5

2.Anjalraj ... Petitioner in Crl.O.P.(MD)No.8449 of 2025/ A4

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.
Crime No.87 of 2025

... Respondent in both petitions

In Crl.O.P.(MD)No.8381 of 2025

For Petitioners : Mr.K.P.Sankarakumarakurubaran

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)

In Crl.O.P.(MD)No.8449 of 2025

For Petitioners : Mr.S.Mayaperumal

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)



PETITIONS FOR BAIL Under Sec.483 of BNSS, 2023

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COMMON PRAYER :-

For bail in Crime No.87 of 2025 on the file of the respondent-police.

COMMON ORDER : The Court made the following order :-

These Criminal Original Petitions have been filed by the petitioners on 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioners / A4 and A5 were arrested and remanded to judicial custody on 02.04.2025 for the alleged offences punishable under Sections 318(4), 336(2), 336(3), 340(2) and 61(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.87 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on the petitioners and other accused persons conspired together and created fake Death Certificate and Legal Heir Certificate and thereby created fraudulent Sale Deed in favour of A1. The role of A5 is that he is a witness in the alleged Sale Deed executed in favour of A1. The role of A4 is that he conspired together with other accused persons and executed the alleged Sale Deed in favour of A1. Hence the case.

4. The learned counsels appearing for the petitioners submit that the petitioners

did not commit any offence as alleged by the prosecution and that the petitioners



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have been falsely implicated in this case. They further submit that the petitioners have been in judicial custody since 02.04.2025. They further submit that pre-arrest bail was granted to A1 by this Court today i.e., on 08.05.2025 in Crl.O.P.(MD)No.8551 of 2025. They however submit that the petitioners are ready to abide by any condition to be imposed by this Court and prays to grant bail to the petitioners.

5. Mr.S.S.Manoj, the learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that investigation is yet to be completed. He further submits that A4 has no previous case and A5 has one previous case. In view of the stage of investigation, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the First Information Report.

7. The petitioners were arrested on 02.04.2025 and have been still in judicial custody since then. The petitioners have permanent residence and therefore there is less possibility of absconding. Considering the same and considering the overt act alleged against the petitioners in the First Information Report and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten Thousand



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only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Judicial Magistrate, Rajapalayam, Virudhunagar 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, Rajapalayam, Virudhunagar District shall obtain a copy of any one of identity proofs to ensure their identity;

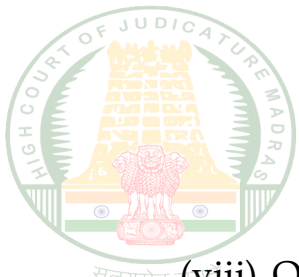
(iii) The petitioners shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023;

(iv) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;

(v) The petitioners 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 or tamper with the evidence;

(vi) The petitioners shall furnish their residential address and mobile number to the Judicial Magistrate, Rajapalayam;

(vii) The petitioners shall appear and sign before the respondent-Police daily at 09.00 a.m., until further orders;



CRL OP(MD). Nos.8381 & 8449 of 2025

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Rajapalayam, Virudhunagar District is entitled to pass appropriate orders against the petitioners 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].

8. Accordingly, these Criminal Original Petitions are allowed subject to the conditions stated supra.

sd/-
08/05/2025
/ TRUE COPY /

09/05/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO
1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.

4 THE INSPECTOR OF POLICE,
KEELARAJAKULARAMAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.



CRL OP(MD). Nos.8381 & 8449 of 2025

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR.S.MAYA PERUMAL, Advocate SR.No.5401 (I) DT.09/05/2025

ORDER IN
CRL OP(MD). Nos.8381 & 8449 of 2025
Date :08/05/2025

SA/SAR. /09.05.2025/6P/7C

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