

CRL OP(MD). No.8551 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 M.JOTHIRAMAN
CRL OP(MD)No.8551 of 2025

Shanmugavel

... Petitioner / Accused No.1

Vs

The State represented by
The Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.
(Crime No.87 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Maya Perumal

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.87 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 318(4), 336(2), 336(3), 340(2) and 61(2) of BNS, 2023 in Crime No.87 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the accused

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persons are belong to the same village. Punja land comprised in Survey No.266, Patta No.776 situated at Keelarajakularaman Village, Virudhunagar District, initially belongs to the defacto complainant's ancestral property. In the meantime, A2 to A4 conspired among themselves in order to cheat the defacto complainant, creating false death certificates, legal heir certificates and created a false sale deed. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He therefore prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner is arrayed as A.1. A2 to A4 created a false death certificates, legal heir certificates and forged some documents and created a false sale deed. He would further submit that A.5 and A.6 signed as witnesses and A.6 has already been enlarged on Anticipatory Bail. A.4 and A.5 have been arrested and they are still in custody.

5. Considering the facts and circumstance of the case and also considering the fact that allegations are borne out by records, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 learned Judicial Magistrate, Rajapalayam, Virudhunagar District, 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 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:

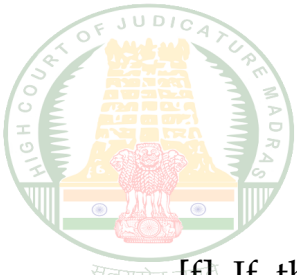
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[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].



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

Sd/-

08/05/2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai

MGA

TO

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

ORDER
IN

CRL OP(MD) No.8551 of 2025
Date : 08.05.2025

BV(25/05/2025) 4P/ 4C

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

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