



Crl.O.P(MD)No.9260 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 13.06.2025

Pronounced on : 01.07.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.O.P(MD)No.9260 of 2025

and

Crl.M.P(MD)No.7442 of 2025

1.Chandrasekar
S/o.Jeyapal

2.Gnanasekar
S/o.Jayapal

3.Gunasekar
S/o.Jeyapal

...Petitioners/
Accused Nos.1 to 3

Vs.

The State of Tamilnadu rep. by
The Inspector of Police,
CCB Police Station,
Tirunelveli District.
(Crime No.5 of 2025)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to
enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.5 of



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2025 on the file of the respondent police.

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For Petitioners : Mr.B.Babu

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.side)

For Intervenor : Mr.R.Bharathiraja

ORDER

The petitioners seek anticipatory bail upon the apprehension of arrest at the hands of the respondent police for the alleged offences U/s.466 and 471 of IPC in Crime No.5 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the defacto complainant is the second wife of one Jeyapal, who was working as a Pharmacist in Trichy Corporation. Accused Nos.1 to 4 are born to late Jeyapal through his first wife Maniammal @ Anandhi. The first wife died on 22.04.1991. Thereafter, the said Jeyapal married the defacto complainant and out of wedlock two sons, namely Dhanapal and Hariharan, were born to them. They all lived under one roof. The defacto complainant's husband Jeyapal, died on 29.01.2001 while he was in service, leaving 9 legal heirs, including his parents. His retirement benefits were equally shared. The second accused obtained compassionate appointment without knowledge of the defacto complainant. The legal heirs through the first wife got married and are living separately. Thereafter, the defacto complainant and her sons are living separately.



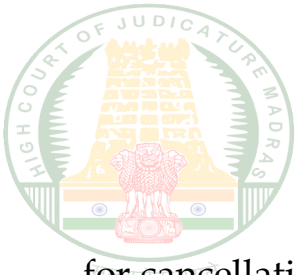
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Accused Nos.1 to 4 demanded the partition of properties of Jeyapal and the same was denied. Whiles the petitioners forged and fabricated a legal heir certificate of Jeyapal as if the Accused 1 to 4 alone are legal heirs and executed a registered partition deed. Hence, the case has been registered.

3. The learned counsel for the petitioners has submitted that the petitioners have filed a civil suit in O.S.No.204 of 2023 for partition. The present case is filed as a counterblast to their civil suit. The petitioners have themselves cancelled the alleged forged document. The defacto complainant was not cheated and the right of property was not deprived. The complaint has been given after a lapse of two years in order to harass the petitioners 1 and 2 as they are government officials, and the third petitioner is working in private concern. Even in the complaint/FIR itself, it is admitted that the documents were duly cancelled. So, custodial interrogation is not necessary. The petitioners are aged persons and have not committed any offence as alleged by the prosecution and they are ready to abide by any condition imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioners are Accused Nos.1 to 3, who executed the forged document and subsequently cancelled it. Though Accused Nos.4 to 9 were granted anticipatory bail by the District Court, the acts of petitioners



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for cancellation of documents are sufficient to attract overtacts of forgery. Hence, he
prays for dismissal of this petition.

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5. The learned counsel for the intervening petitioner/defacto complainant would submit that the petitioners have actively created the legal heir certificate of her husband by mentioning the first wife's sons alone are legal heirs of her husband against the original legal heir certificate showing 9 legal heirs. The copy of the legal heir certificate is produced along with typed sets of papers. On coming to know about the registration of forged documents, the defacto complainant filed a complaint petition before the concerned Sub Registrar for taking action and the same was pending. Thereafter, the petitioners, admitting their act of forgery, cancelled the document. The petitioners 1 and 2, being government officials, did the act of forgery to defeat the rights of defacto complainant over the property.

6. Heard and perused the available records. It is seen from the records that the petitioners created a fake legal heir certificate as if only four children were born to late Jeyapal against the original legal heir certificate issued by the Tahsildar, Tiruchirappally, being the same proceeding Pa.Mu.No.A4/1353/2001, dated 18.02.2001. The petitioners admitted that they have cancelled the alleged forged document, which itself is prima facie sufficient to show the overtacts of forgery on the petitioners. Therefore, considering the arguments of both sides and considering



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the facts and circumstances, this Court is not inclined to grant anticipatory bail to
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the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

sd/-
01/07/2025

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/07/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd
TO

1 THE INSPECTOR OF POLICE, CCB POLICE STATION, TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.9260 of 2025
Date :01/07/2025

NBF/04.07.2025 5P/3C

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