



CRL OP(MD). No.11755 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 31.07.2025

Pronounced on : 11.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Mathivanan,
S/o.Late Chellakani

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
District Crime Branch,
Virudhunagar District.
(Crime No.10 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.G.Thalaimuthurasu,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS
PRAYER :-

For Anticipatory Bail in Crime No.10 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 120B, 420, 465, 468, 471, 294(b) and 506(2) of IPC in Crime No.10 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the subject property, situated at Ammapatti, Sattur, Virudhunagar District, measuring an extent of 27.70 acres, originally belonged to M/s.IVR Prime Developers (ARRAKKU) Pvt. Ltd. It is alleged that A1, who is an Assitant Engineer, authorized to sell the properties of the said Company. To that effect, he produced a company resolution purporting to authorize him to deal with the property, although no such authority was genuinely conferred. Relying on this resolution, the part of property was sold in favour of the 2nd to 4th accused, and subsequently, the property was sold to the de-facto complainant, his wife and his brother-in-law through three sale deeds. When the de-facto complainant insisted on the production of the parent documents, the accused persons began to evade. Hence, the present case.

3. The learned counsel for the petitioner submitted that this is the second anticipatory bail application filed before this Court. He submitted that the property was purchased from the 1st accused through a registered sale deed in Doc.No.9260 of 2021, dated 18.11.2021. Thereafter, as the petitioner was suffering heavy losses in his organic farming business, he sold the property to the de-facto complainant, who



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intended to purchase the land for establishing a sand quarry/mining operation, by means of a registered sale deed in Doc.No.2095 of 2024, dated 23.02.2024. The petitioner also handed over all the original parental documents related to the said properties to the de-facto complainant. Subsequently, when the de-facto complainant abandoned the idea of establishing a sand quarry on the purchased land, he compelled the petitioner to repurchase the said properties. Upon the petitioner's refusal, the de-facto complainant lodged the present false complaint against him. He further submitted that the 1st accused had sold company properties to more than 16 persons, and the petitioner is one among them. The fact remains that it was the 1st accused who cheated all the purchasers by creating a forged and fabricated board resolution.

4. He further submitted that A1, A3, and A5 were arrested and subsequently released on bail by this Court in CrI.O.P.(MD)Nos.21966 of 2024, 10038 of 2025, and 1520 of 2025, dated 19.12.2024, 20.06.2025, and 29.01.2025, respectively. The First Information Report has been quashed as against A6 and A7. The petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

5. The learned Government Advocate (Criminal Side) submitted that there are



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totally seven accused persons in this case, and the petitioner has been arrayed as A4.

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A1, A3, and A5 were arrested and subsequently released on bail by this Court in Crl.O.P.(MD)Nos.21966 of 2024, 10038 of 2025, and 1520 of 2025, dated 19.12.2024, 20.06.2025, and 29.01.2025, respectively. The First Information Report has been quashed as against A6 and A7. He submitted that the property originally belonged to M/s. IVR Prime Developers (ARRAKKU) Pvt. Ltd., and that the 1st accused had purchased the property on behalf of the said company. The 1st accused left the company in 2012. Thereafter, he forged and fabricated the board resolution and sold the property to A2 to A4. A2 to A4 issued cheques as consideration to the 1st accused, but those cheques were not encashed. Therefore, the petitioner, along with A2 and A3, allegedly colluded and cheated the de-facto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, and taking note of the fact that three of the co-accused were arrested and subsequently released on bail by this Court, and that the FIR has been quashed as against A6 and A7, and that as the date of registration of F.I.R. is 03.10.2024, by this time most of the investigation might have been completed, this Court is of the view that custodial interrogation of the petitioner is not necessary at this stage. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar District 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Virudhunagar District and on further conditions 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 furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Virudhunagar District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Virudhunagar District;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 petitioner 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]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
11/08/2025

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

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TO

- 1 The Judicial Magistrate No.II, Virudhunagar District.
- 2 The Inspector of Police, District Crime Branch, Virudhunagar District.
- 3 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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ORDER
IN

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Date :11/08/2025

NBF/SAR- /02/09/2025/ 7P/4C

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