



CRL OP(MD). No.11940 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.11940 of 2025

and

CRL MP(MD)No.10876 of 2025

G.Sivanesan

... Petitioner/ Accused No. 2

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
DCB Police Station,
Madurai District.
(Crime No.20 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Kishore Kumar

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.20 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 467, 468, 471 r/w.120(B) of IPC Act, in Crime No.20 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, an engineer from Malaysia, discovered in 2019 that a fake Power of Attorney had been created using his late mother's forged signature. The Notary in Malaysia confirmed the signature was not genuine. He filed a complaint there, was advised to approach the Tamil Nadu Police, and subsequently lodged the present complaint against one Senguttuvan.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted the accused persons created a fake Power of Attorney using the defacto complainant's late mother's forged signature. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. The contention of the petitioner is that he is a bonafide purchaser and he has filed a suit in O.S.No.75 of 2024 before the District Munsif Court, Madurai, which is still pending. He further submits that the FIR was registered only after the filing of the suit. However, the Power of Attorney in question was executed as early as 2003, and there is no link between the Power of Attorney and the defacto complainant. Considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or 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.I, Madurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 report before the respondent police daily at 10.30 a.m until further orders. The petitioner shall deposit the original sale deed before the Investigation Officer and is restrained from dealing with the property until the criminal case is completed;

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



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(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]*; and;

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

7. Consequently, connected miscellaneous petition is closed.

(S S Y J)
25.11.2025

jbr



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S.SRIMATHY,J.

jbr

To

1. The Judicial Magistrate No.I,
Madurai.
2. The Sub Inspector of Police,
DCB Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

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Date : 25.11.2025