



CRL OP(MD). No.12376 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12376 of 2025

1.Vijay Arul Jo @ Vijay Arul Joe,
S/o.Xavier Amal Raj

2.Govindan,
S/o.Mariappan

... Petitioners/ A9 & A11

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
DCB Police Station,
Virudhunagar District.
(Crime No.19 of 2023)

... Respondent/Complainant

For Petitioners : Mr.Kannan Gurusami,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.12376 of 2025

PRAYER :-

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For Anticipatory Bail in Crime No.19 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A9 & A11, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 417, 465, 467, 468 and 471 of IPC in Crime No.19 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the 1st accused are siblings. In order to grab the family property, the 1st accused created a forged 'Will' as if it was executed in favour of him by his mother, based on which the 1st accused executed a sale deed in favour of A8, A9, A10 and A11. Hence, the present case has been registered.

3. The learned counsel appearing for the petitioners submitted that this is the second anticipatory bail application filed before this Court. The petitioners are innocent persons and has not committed any offence as alleged by the prosecution.

They have been falsely implicated in this case. He further submitted that this Court

had already granted anticipatory bail to the petitioners on 08.01.2024 in Crl.O.P.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.12376 of 2025

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(MD)No.203 of 2024. However, due to miscommunication on the part of the learned counsel, the petitioners were unable to produce the sureties before the trial Court within the stipulated time. He, however, submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl. side) submitted that the petitioners have been arrayed as A9 and A11 in this case. He further submitted that the case is under investigation. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also taking note of the fact that the earlier anticipatory bail granted by this Court was dismissed solely on account of the failure to produce sureties within the stipulated time, and that the issue pertains to a civil dispute, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which



CRL OP(MD). No.12376 of 2025

the order copy made ready, before the learned Judicial Magistrate No.II, Virudhunagar District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 Judicial Magistrate No.II, Virudhunagar District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.II, Virudhunagar District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.II, Virudhunagar District;

(c) the petitioners shall report before the respondent police daily twice i.e. at 10.00 a.m. and 05.00 p.m. until further orders;

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



CRL OP(MD). No.12376 of 2025

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(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
12/08/2025

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/09/2025
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.



CRL OP(MD). No.12376 of 2025

2 The Inspector of Police,
Dcb Police Station,
Virudhunagar District.

3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12376 of 2025
Date :12/08/2025

NM/02.09.2025/ 6P/4C

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