



CRL OP(MD). No.20145 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sureshkumar

... Petitioner/Accused

Vs

The State of Tamilnadu, Rep.,
By its the Inspector of Police,
District Crime Branch,
Thoothukudi District.
(In Crime No.21 of 2025).

... Respondent/Complainant

For Petitioner : Mr.S.George Bush

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2025 on the file of the
Respondent Police.



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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 61(2), 336(2), 336(3), 340(2) and 318(4) of BNS, 2023, in Crime No.21 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband executed a power of attorney in favour of A1 in respect of the petition mentioned properties. Taking advantage of the same, A1 has sold the property to A2 by creating forged life certificate of the defacto complainant's husband. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits 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 Additional Public Prosecutor appearing for the



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respondent Police submits that A1 has sold the property to A2 by creating a forged life certificate of the defacto complainant's husband. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. The allegation against the petitioner is that he issued a life certificate even though, on the date of issuance, the concerned person was abroad. However, the petitioner contends that the power holder appeared before him ten days earlier and, after proper verification, he issued the certificate upon the request of the said person. Therefore, according to the petitioner, no offence has been committed. Considering the above facts and the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, Thoothukudi, 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



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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 as and when required for investigation;

(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]*; and;



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

(S S Y J)
14.11.2025

jbr

TO

1. The Judicial Magistrate, Thoothukudi.
2. The Inspector of Police,
District Crime Branch,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

jbr

**ORDER
IN
CRL OP(MD) No.20145 of 2025**

Date : 14/11/2025