



CRL OP(MD). No.22343 of 2025

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

Date : 05/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Selvaraj

.. Petitioner

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Woraiyur Police Station,
Trichy City.
Cr.No.290/2025.

.. Respondent/Complainant

For Petitioner : Maheswaran R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- C-38AB.For Anticipatory Bail in Cr.No.290
of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the
hands of the respondent police for the offences
punishable under Sections 465, 466, 467, 468, 471 and
474 of IPC, in Crime No.290 of 2025, seek
anticipatory bail.



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2. The case of the prosecution is that A1 created a forged non-traceable certificate with an intention to deceive the complainant and to conceal the missing document. By using the forged certificate, A1/the petitioner entered into a sale agreement with the A1 on 28.04.2017, registered as Document No.1900 of 2017. Subsequently, the petitioner executed a power of attorney deed in favour of the A3 vide Document No.4073 of 2017 dated 06.09.2017. Thereafter, the A3 executed a sale deed in favour of the A2 on 28.10.2017, registered as Document No.5924 of 2017, while the remaining accused stood as attestors to the document. 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.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner/A1 forged a non-traceable certificate to conceal a missing document and, using the same, executed several transactions with the other accused persons culminating in a sale deed dated 28.10.2017. The co-accused were already granted anticipatory bail by this Court.

5.The transaction between the defacto complainant and A1 pertains to a power of attorney executed for consideration. On perusal of the records, it is seen that the value of the property is Rs.60,00,000/-, but the defacto complainant had paid only Rs.1,00,000/-. The petitioner is the owner of the property. After execution of the power of attorney, the owner/A1 sold the property to two purchasers and later unilaterally cancelled it, and thereafter sold it to A2. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.



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WEB COPY 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.IV, Trichy, 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 for



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a period of three days and thereafter, as and when required. The petitioner has to co-operate for the 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;

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

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S . SRIMATHY , J

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TO

1. The Judicial Magistrate No.IV, Trichy.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Woraiyur Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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