



CRL OP(MD). No.22584 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Xaviour Alis Xavier
 2. Breddy Victor Alis Freddy
 3. Thivakarn Alis Thivagarar
- .. Petitioners/A2,A4&A3

Vs

The State of Tamilnadu Rep.By,
The Inspector of Police,
District Crime Branch,
Thoothukudi District
(Cr.No.37/2025) .

... Respondent/Complainant

For Petitioner : M/s.J.Joseph Zinoson,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- C-24AB For Anticipatory Bail in Crime No.
37 of 2025 on the file of the respondent police

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 419, 465, 468, 471 & 420 of IPC, in Crime No.37 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused executed a general Power of Attorney in favour of the first petitioner/A2 by impersonating the defacto complainant's vendor's vendor name, Sankaralingam, based on which the first petitioner sold the lands to A4 company namely, Meridien Promoters Pvt. Ltd., and the third petitioner is the authorized signatory of the said Company and the second petitioner is the Director of the said Company. Subsequently, the said Company obtained loan from the City Union Bank, Chennai by depositing the fraudulent title deed in collusion with the Bank Manager. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons



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and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the specific overt act against the first petitioner/A2 is he accepted the Power of Attorney executed by A1 by knowing the impersonation and other accused are subsequent purchasers. However, he opposed for grant of anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition as against the first petitioner herein/A2. He has also made an endorsement to that effect. Accordingly, this Criminal Original Petition is dismissed as withdrawn as against the first petitioner/A2 alone.



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6. Considering the facts and circumstances of the case, and since the petitioners 2&3 are bonafide purchasers and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners 2 & 3 alone, subject to certain conditions.

7. Accordingly, the petitioners 2 & 3 are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of 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 learned Judicial Magistrate No.IV, Thoothukudi, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:

[a]the petitioners 2 & 3 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book



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to ensure their identity;

[b] **the petitioners 2 & 3 shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;**

[c]the petitioners 2 & 3 shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioners 2 & 3 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 petitioners 2 & 3 in accordance with law as if the conditions have been imposed and the petitioners 2 & 3 are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji vs. State of Kerala [(2005)AIR
SCW 5560];

[f] If the accused thereafter
absconds, a fresh FIR can be registered
under Section 269 of BNS.

10.12.2025

PJL

TO

1. The Judicial Magistrate No.IV, Thoothukudi.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Inspector of Police,
District Crime Branch,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

PJL

ORDER
IN
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