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Crl.OP.No.504 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.504 of 2026

1. Velmurugan
2. Dhavamalar
3. Narayanasamy

... Petitioners

Vs.

State rep by
The Sub Inspector of Police,
DCB, Cuddalore District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of arrest in Cr.No.64 of 2025 on the file of the respondent police.

For Petitioners : Mr.Sugan Rajan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 420, 423, 465, 466, 468, 471 of IPC and Section 82(a) of the Registration Act, 1908 in Crime No.64 of 2025, on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners herein are ranked as A1 to A3 in this case. Some of the family properties belongs to the second petitioner and her brother (defacto complainant). A2 who is the sister of the defacto complainant by colluding with the other accused have fabricated a Will in favour A1 and A2 as if the defacto complainant's father has executed the same and bequeathing the family property. On the strength of the unregistered Will, their subsequent documents registered and encumbrances were created between A2 and A3. Thereby, accused grab the share of the defacto complainant. Hence, the complaint has been lodged against the petitioners, pursuant to which, the present petition has been filed.

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3. The learned counsel appearing for the petitioners submitted that the alleged transactions and execution of sale deed agreement were taken place in the year 2019 and in this regard, a civil suit was filed and the same was pending and subsequently the defacto complainant has also initiated the proceedings for cancellation of deed by filing a petition before the District Registrar and enquiry was conducted and the petitioners are ready to co-operate with the investigation and there is no necessity for custodial interrogation of the petitioner. Hence, he prayed that anticipatory bail be



granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that A1 and A2 are relatives and they have fabricated a Will. Subsequently, on the strength of the Will, they have grabbed the property of the defacto complainant. Hence, complaint has been registered and investigation is pending, and he opposed the grant of anticipatory bail to the petitioners.

5. I have gone through the records and other connected materials revealed that from the year 2019 onwards, the defacto complainant was initiated various proceedings to cancel the deed. However, the complaint was lodged only recently and also the fact that all the allegations are borne out of records, I am of the view that the custodial interrogation of the petitioners to investigate the case is not necessary. Hence, I am 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 (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate-I, Panruti*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** **with two sureties** each for a like sum to the satisfaction learned Magistrate

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concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

21.01.2026

Vv



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To

1. The Judicial Magistrate-I, Panruti
2. The Sub Inspector of Police,
DCB, Cuddalore District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

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