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CrI.OP.No.633 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No.633 of 2026

S.Sugumar

... Petitioner

Vs.

State represented by
Inspector of Police,
District Crime Branch (DCB)
Vellore District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail, in the event of arrest, in Cr.No.13 of 2025 on the file of the Inspector of Police, District Crime Branch (DCB), Vellore District.

For Petitioner : Mr.Suresh Sakthi Murugan

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 329(3), 336(2), 336(3) 337, 340(2) and 318(4) of BNS, 2023 in Cr.No.13 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner by fabricating a bogus patta, taken possession of the property belongs to the defacto complainant and enjoyed the same. Hence, the complaint has been lodged for taking action against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner's father was in possession of the property in the year 1999 itself and assignment patta was granted to the family of the petitioner herein and they are in possession and enjoyment of the same and since their possession was disturbed by the defacto complainant and others. Based on their counter claim, he has instituted a suit before the Civil Court, in which he has filed copy of the assignment patta and now the complaint has been alleged that his assignment patta is a fabricated document. He further submitted that he is ready to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is in possession of the bogus patta and in this regard, enquiry was conducted by the revenue officials and the cancellation was ordered. He



further submitted that the defacto complainant is having a title deed and other connected documents, they are having title over the property. Hence, he vehemently opposed the grant of anticipatory bail.

5. I have also gone through the records and other connected materials, which revealed that admittedly in the year January 2025 itself, civil suit has been initiated by the petitioner, sought for his declaration of title as well as to protect his possession. Further, there are other proceedings initiated between the parties before the concerned revenue authorities and orders regarding the same has been passed.

6. Considering the above fact, I am of the view that the custodial interrogation of the petitioner to investigate the case is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate Court-V, Vellore** on condition that the petitioner shall execute a



bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two **sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];***



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

21.01.2026

Vv

To

1. The Judicial Magistrate Court-V, Vellore
2. The Inspector of Police,
District Crime Branch (DCB)
Vellore District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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