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CRL OP No. 1130 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1130 of 2026

and

CRL OP No.1197 of 2026

1. Mohamadali
2. Balamurugan

..Petitioners
(in Crl.OP.1130/2026)

1. R. Rajendra Kumar Jain
2. R. Hemalatha Jain

..Petitioners
(in Crl.OP.1197/2026)

Vs

State by
The Inspector of Police,
Nallur Police Station, Krishnagiri District.
(Crime No.136 of 2025)

..Respondent
(in both cases)

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event of arrest by the respondent police in Crime.No.136 of 2025 on the file of the respondent police.

In both cases:

For Petitioner(s):	Mr. D. Thirumoorthy
For Respondent(s):	Ms. J.R. Archana, Government Advocate (Crl.side)



COMMON ORDER

The petitioners apprehend arrest for the alleged offence under Sections 318(4), 336(2), 336(3), 336(4) and 340(2) of the Bharatiya Nyaya Sanhita (BNS) 2023, in Crime No.136 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The allegations against the petitioners are that they, in collusion with the accused/A1, A2 and A3, falsely projected themselves as owners of a certain Ryotwari lands and executed sale deeds in favour of various persons, including the accused/A4 to A10. It is further alleged that A4 to A6, who in turn executed the sale deeds in favour of A7 to A11. Hence, the present complaint has been registered.

3. The learned counsel for the petitioner submitted that the transactions relate to the year 2008 and that the alleged sale deeds were executed prior to the issuance of proceedings restraining registration in respect of Ryotwari lands. It is further submitted that during the pendency of the Government's Ryotwari Patta proceedings, the said alleged sale deeds were subsequently cancelled and, as on date, there is no encumbrance over the subject properties. Therefore, he prayed for the grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are totally 11 accused in this case. As of now, no arrest has been made and the investigation is in progress. It is submitted that the accused/A1 to A3, claiming to be land owners, executed sale deeds in favour of A4 to A6, who in turn executed the sale deeds in favour of A7 to A11. Though the sale deeds have been cancelled, and the investigation is still underway. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegations and taking note of the fact that the transactions pertain to the year 2008, that the sale deeds have since been cancelled, and that the transactions are covered by the documents, and therefore, the custodial interrogation of the petitioners is not necessary, this Court is 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 is made ready, before the **learned Judicial Magistrate No.2, Hosur**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- each (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned



Magistrate concerned, and on further condition:

(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 everyday 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners were 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

16-02-2026

klr

To

1. The learned Judicial Magistrate No.2, Hosur.



2. The Inspector of Police,
Nallur Police Station, Krishnagiri District.

3. The Public Prosecutor, High Court of Madras, Chennai.

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K.RAJASEKAR, J.

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