



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2308 of 2026

1. Iyannarappan
S/o. Nagaraj,
residing at
No.1/155, Vengapliyakottai,
Pannandur,
Pochampalli,
Krishnagiri District.
2. Chitra
W/o. Iyannarappan,
residing at
No.1/155, Vengapliyakottai,
Pannandur,
Pochampalli,
Krishnagiri District.
3. Radhakrishnan
S/o. Vengadachalam,
D.No. 6/183,
Sesampattiyankottai
Maniathahalli,
Esalpatti,
Dharmapuri District.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Barur Police Station,
Krishnagiri District.
(Crime No.14 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023,to enlarge the petitioners on bail in the event of
their arrest in connection with Crime No. 14 of 2026 pending on the file of the



respondent.

For Intervener: Mr.L.Munisamy
For Petitioner(s): Sakkarapani V
For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 316(2), 318(3), 336(3), 337, 340(2) of BNS in Crime No. 14 of 2026, seek anticipatory bail.

2. The allegation against the petitioners is that, petitioners are neighbours of the defacto complainant and while the defacto complainant was taking steps for changing patta in his name, taking advantage of ignorance, these petitioners had taken the defacto complainant and obtained certain signatures and claiming themselves as the owners of the property, registered as document number 2188/25, on the file of the sub-registrar Office, Barur, sold the same in favour of the A3, thereby grabbed the property of the defacto complainant. It is further alleged that the petitioners also collected sum of Rs.10 lakhs from the defacto complainant and similarly by using his ignorance, they have also withdrawn some sum of Rs.8 lakhs in his bank account, hence the case has been registered.

3. The learned counsel for the petitioners would submit that the allegation



is that in the year 2005 itself the petitioners have fabricated settlement deed but that is false accusation and it was not fabricated. He further submitted that petitioners based on the title, has come forward to execute the sale deed and are ready to cooperate with the investigation Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener would submit that taking advantage of the ignorance of the defacto complainant, who is also a cancer patient, these petitioners had taken him to various places such as Tahsildar's office, bank and other places, snatched away the property by fabricating sale deed. Further they also withdrew sum of Rs.8 lakhs from the defacto complainant's accounts, Hence, opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners claim that they are having some title to the property of the defacto complainant, but they are not having any title over the property and it belongs to the ancestors of the defacto complainant in this case. Hence, opposed to grant anticipatory bail to the petitioners.



6. Though it is stated that they are having title and sold the property in favour of A3 in this case, and there is no such title deeds as stated in the registered document No.2257/25 and without any title deeds, the property has been dealt with by A1 to A3 who were also aware about the rights of the first petitioner, he has agreed and colluded to create a sale deed in his favour. As far as A2 is concerned, she is wife of A1 in this case and it is alleged that there is no specific allegation regarding fabrication of documents, however it is alleged that second petitioner has taken the victim to the bank and withdrawn money joining hands with A1.

7. Considering the above facts and circumstances, the majority of the allegations and prima facie material to show that A1 and A3 are involved in fabrication of records and grabbing the properties, hence this court is not inclined to grant anticipatory bail to A1 and A3 is concerned.

8. As far as A2 is concerned, majority of the allegation is not against her, hence this court is inclined to grant anticipatory bail to the 2nd petitioner/ A2 with certain conditions.

9. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from



the date on which the order copy made ready, before the **learned Judicial Magistrate, Pochampalli**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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 slip (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 everyday 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 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.

20-02-2026

MPA

To

1.The Judicial Magistrate, Pochampalli.
2.State Rep.by, The Inspector of Police,
Barur Police Station,
Krishnagiri District.
(Crime No.14 of 2026)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MPA

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