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CRL OP No. 2464 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CRL OP No. 2464 of 2026

1. Subramaniam
2. Raju

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
Cr.No.513 of 2025.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioners on bail in event of their arrest in Cr.No.513 of 2025 pending investigation on the file of Respondent Police.

For Petitioner(s): Mr.Balamanikandan Ganesan

For Respondent(s): Ms.A.Gopinath, GA (Crl.Side)

ORDER

The petitioners apprehend arrest at the hand of the respondent police for the alleged offence under Sections 423, 465, 467, 468, & 471 of IPC (corresponding to Sections 322, 336(2), 338, 336(3) & 340(2) in Crime No.513 of 2025.



2. The case of the prosecution is that the land was belongs to one Muthu who is the grandfather of the A1 and A2. The said Muthu was also having several legal heirs and suppressing the other legal heirs, A1 and A2 obtained false legal heirs certificate and also they themselves entered into the partition deed and subsequently sold their grand father's property to A3, A4, A5, A7, A8, A9 in collusion with the Revenue and Registration officials.. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He contended that they were unaware of the ongoing dispute between the legal heirs. Furthermore, he submitted that the co-accused (A5, A7 to A9), who are similarly placed to the petitioners, were already granted anticipatory bail by this Court vide orders dated 10.10.2025 in Crl.O.P. Nos. 27741 and 27157 of 2025 and petitioners ready to cooperate with the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reported that totally 11 accused involved in this case and the petitioners herein are A3 and A4 and they are subsequent purchaser of the property from A1 and A2. He further submitted that investigation in this case is



pending. Hence, she opposed for grant of anticipatory bail to the petitioners.

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5. Considering that the primary allegations in this case are levelled against A1 and A2, who allegedly obtained a legal heir certificate by suppressing the names of other legitimate heirs, and noting that this Court has already granted anticipatory bail to similarly placed co-accused, I am inclined to grant anticipatory bail to the petitioners (A3 and A4) 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 ready, before the learned **Judicial Magistrate, Sankarapuram** on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), each 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 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]*;

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

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
2. The Judicial Magistrate, Sanakarapuram.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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