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Crl.O.P.No.6476 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.6476 of 2026

1.Gopal

2.Jayakumar

... Petitioners/A5 & A6

Vs.

The State Rep. by
The Inspector of Police,
District Crime Branch,
Salem District.
(Crime No.9 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.9 of 2025 on the file of the respondent police.

For Petitioners : Mr.T.Saikrishnan
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 120B, 465, 468, 471 of IPC, 1860 and Section 82(a) of Registration Act, 1908 in Crime No.9 of 2025**, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners alleged to



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have created a false and fabricated documents of the death certificate of their mother and legal heir ship certificate has executed a settlement deed in favour of the second accused and got registered. In that some officials and document writers were also involved in facilitating registration and records. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that the occurrence took place on 10.01.2022 and the First Information Report was registered only on 05.08.2025 and that some of the co-accused have already been enlarged on bail and that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate 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 reiterated the prosecution case and, upon instructions, submitted that based upon the fabricated documents submitted by A1 to A3, they have mutated the patta. Hence, he opposed to grant anticipatory bail to the petitioners.



5. Heard the submissions made by the learned counsel on either side and also perused the materials available on record.

6. Considering the nature of accusation against the petitioners and also the fact that the occurrence took place in the year 2022 and the First Information Report was registered only in the year 2025 and at this length of time, custodial interrogation does not require. In such view of the factual position, this Court is inclined to enlarge them on anticipatory bail, subject to certain stringent conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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 No.6, Salem**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(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 sign before the respondent police daily at 10.30 a.m., and 5.30 p.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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

13.03.2026

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To:

- 1.The Judicial Magistrate No.6, Salem.
- 2.The Inspector of Police,

4/6



District Crime Branch,
Salem District.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN,J.,

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