



WEB COPY

CRL OP No. 6730 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6730 of 2026

D.Koteeswaran

..Petitioner(s)

Vs

The Station House Officer,
Ariankuppam Police Station,
Puducherry.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on anticipatory bail in the event of arrest by the first respondent in connection with the Crime No.270 of 2025 pending on the file of the first respondent police.

For Petitioner(s): Mr.R.Vinoth

For Respondent(s): Mr.V.Ramachandra Murthy
Public Prosecutor (Puducherry)

ORDER

The petitioner, who apprehends arrest by the respondent police for offences punishable under Sections 318(2), 336(3), 340(2), and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. 270 of 2025.



2. The case of the prosecution is that the defacto complainant's vendor purchased the property from the petitioner. Subsequently, when the defacto complainant's vendor sold the land to the defacto complainant via a registered sale deed on 04.09.2025, the petitioner allegedly interfered with the defacto complainant's attempt to take possession. This led to the registration of the FIR.

3. The learned counsel for the petitioner would submit that the petitioner's brother, Mohanraj (A1), intended to purchase the property which the petitioner had already sold to the defacto complainant's vendor. On 26.10.2025, the brother allegedly coerced the petitioner to sign a sale agreement intended to defeat the rights of subsequent purchasers. The petitioner claims, his brother informed him that the subsequent purchaser owed him money and a suit needed to be filed, leading the petitioner to sign the document. The learned counsel further contended that the petitioner is innocent, and has been falsely implicated, and prays for the grant of anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while reiterating the prosecution's case, strongly opposed the grant of anticipatory bail. He emphasises that after the petitioner sold the property via a registered deed and it was subsequently transferred to the defacto complainant, the petitioner and his brother fabricated an unregistered sale



agreement in an attempt to grab the land. He further states that in related civil proceedings, the Court categorically found the records are fabricated. In view of the petitioner's conduct, the learned Government Advocate states that there is a significant risk of evidence tampering or witness intimidation, if anticipatory bail is granted.

5. It is observed that the petitioner, having already sold the property through a registered sale deed, allegedly entered into a fabricated, unregistered sale agreement with his brother to defeat the rights of the subsequent purchaser. While the defacto complainant was acting on the strength of a validly registered sale deed, the petitioner's alleged attempt to interfere with the possession of the land through fabricated records is a matter of grave concern. The finding by the Civil Court that the documents were a clear case of fabrication further reflects a blatant disregard for the legal process.

6. Considering the gravity of the offences, the petitioner's criminal antecedents, the specific overt acts attributed to him regarding the fabrication of documents to grab land, and the subsequent need to probe the creation of false records, this Court is not inclined to grant anticipatory bail to the petitioner.



7. Accordingly, this Criminal Original Petition stands dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Jeni

To

- 1.The Judicial Magistrate-III, Puducherry.
- 2.The Station House Officer, Ariankuppam Police Station, Puducherry.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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