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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6423 of 2026

1. Venkatesan

2. Manikandan

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police,
Selaiyur Police Station,
Chennai.
Crime.No.3 of 2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioners on bail in the
event of their arrest in Crime.No.3 of 2026 on the file of the respondent police
pending investigation.

For Petitioner(s) : Mr.K.Karthik

For Respondent(s) : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections
465, 468, 471, 420 and 120 (B) of IPC in Crime No.3 of 2026, seek anticipatory
bail.

2. The allegation against the petitioners is that, based on fabricated
documents, the accused Nos.1 and 2 had sold the property comprised in



S.No.10/3B1 belonging to one late Munusamy who is the erstwhile owner, to the petitioners / accused Nos.5 and 6. Hence, the present case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent purchasers and was cheated by the first accused in spite of the fact that they have been cheated, the respondent police are harassing the petitioners. He further submits that the petitioners have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. Though serious objections have been raised by the learned Government Advocate (Crl.Side), no specific overt act has been attributed to these petitioners and all the overt acts are alleged only against the first and second accused.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. From the submissions made by the learned Government Advocate (Crl.Side) it is seen that accused Nos.1 and 2 have fabricated a false death certificate and legal heirship certificate of the owner of the subject property and sold the said property to the petitioners. Taking note of the fact that, no specific overt act has been attributed to these petitioners, this Court is of the view that



the custodial interrogation of the petitioners is not required. Hence this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

7. 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 Court-II, Tambaram**, 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 conditions:

(a) If the petitioners fail to surrender before the concerned learned 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, daily at 10.30 a.m. and 5.30 pm., for a period of four weeks and thereafter, as and when required for interrogation;**



C.KUMARAPPAN, J.

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(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.

12-03-2026

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To

1. The Inspector of Police,
Selaiyur Police Station,
Chennai

2. The Judicial Magistrate Court-II, Tambaram.

3. The Public Prosecutor,
High Court, Madras.

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