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CRL OP No.7654 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7654 of 2026

1. M.Navanidhammal,
No.487, Kaman Kovil Street, Ravanapuram,
Perumukkal Village, Tindivanam Taluk,
Villupuram District – 604301.
2. M. Suntharababu
S/o. Late. Munusamy,
No.487, Kaman Kovil Street, Ravanapuram,
Perumukkal Village, Tindivanam Taluk,
Villupuram District - 604301.

...Petitioners/A1 and A2

Vs

State rep-by:
The Inspector of Police,
District Crime Branch,
Villupuram District.
Crime No.11 of 2025.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS r/w 438 of Cr.P.C., to enlarge the petitioners on Anticipatory Bail in the event of their arrest in connection with the complaint in Crime No.11 of 2025 on the file of the respondent police pending investigation on the alleged crime.

For Petitioners: Mr.B.Rajesh

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



ORDER

The petitioners/A1 and A2, who apprehend arrest for the alleged offences **under Sections 420, 468 and 471 of IPC, in Crime No.11 of 2025**, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had mortgaged the *de-facto* complainant's land to the Shriram Transport Finance Company Limited by obtaining a false legal-heirship certificate. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the *de-facto* complainant. He also submitted that the petitioners and the *de-facto* complainant are blood relatives. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and they are ready to cooperate for the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners obtained a false legal-heirship certificate and had mortgaged the subject land to the Shriram Transport Finance



Company Limited, and thereby they have denied the right of the *de-facto* complainant by fabricating the documents; and that the mortgage took place in the year of 2017 and the FIR was registered on 31.12.2025. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. The learned Government Advocate (Crl.Side), would submit that the entire issue revolves around the share over the property. It is the submission of the learned Government Advocate (Crl.Side) that the first petitioner, the *de-facto* complainant and their mother are the legal heirs of one Mr.Balu Chettiyar, and after the demise of Mr.Balu Chettiyar, the petitioners obtained a false legal-heirship certificate and had mortgaged the subject land to the Shriram Transport Finance Company Limited, and thereby they have denied the right of the *de-facto* complainant by fabricating the documents.

7. The learned Government Advocate (Crl.Side) would further submit that such mortgage took place in the year of 2017 and the FIR was registered on 31.12.2025. While looking into the factual position, the first petitioner being a



woman aged about 76 years, considering the totality of the circumstances and upon the fact that the occurrence took place in the year 2017 and the FIR was registered on 31.12.2025, at this length of time, no custodial interrogation of the petitioners is required. Hence, this Court is inclined to enlarge them on anticipatory bail, with certain conditions:

8. 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.II, Tindivanam**, on condition that **the petitioners shall execute a 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 conditions:

(a) If the petitioners fail 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;



(e) If the petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. The Judicial Magistrate – II,
Tindivanam.
2. The Inspector of Police,
District Crime Branch,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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