



WEB COPY

CRL OP No. 8161 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8161 of 2026

and

CRL MP No. 6431 of 2026

1. Raja Annamalai

2. R.Devaki

..Petitioners

Vs

State Rep. by,
The Inspector of Police,
Central Crime Branch,
Tambaram Police Station,
Tambaram.
(Crime No.51/2025)

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of their arrest by the respondent police in Crime No.51 of 2025 pending investigation on the file Inspector of Police, Central Crime Branch, Tambaram Police Station, Tambaram.

For Petitioner:

Mr.Vasanth D

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

For Intervenor:

Mr.Anthony Simiyon Raja



ORDER

The petitioners apprehends arrest for the alleged offence under Sections 406, 409, 420 and 120B of IPC in Crime No.51 of 2025 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is there is a land dispute between the petitioners and the de facto complainant. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the land property of an extent of 2010 sq.ft absolutely belongs to the de facto complainant and when he required some money, he approached A1, and he has given Rs.8,00,000/- and thereafter when the de facto complainant required further money, with the assistance of A1, de facto complainant obtained loan from A2 and A3 for a sum of Rs.16,00,000/-. A1, A3 and the de facto complainant approached the 1st petitioner for the sale of the land and in furtherance thereof, de facto complainant executed Power of Attorney in favour of the 1st petitioner. In furtherance thereof, the 1st petitioner sold the property to the 2nd petitioner on 27.12.2023.

4. The learned counsel for the Intervenor submitted that the property is worth to the tune of Rs.1.66 crores and though he has obtained certain loan from



A1 to A3, now that he has put up construction thereon with three floors and this petitioners in order to take away the property has created documents and also created forged life certificate of the petitioner.

5. The said contention was reiterated by the learned Government Advocate (Crl.Side).

6. At this juncture, the learned counsel for the petitioners submitted that there was a suit filed by these petitioners against the de facto complainant and similarly, de facto complainant also has filed suit against the petitioners so as the set aside the sale.

7. I have given anxious consideration to the submissions made by the learned counsel on either side.

8. Considering the facts and circumstances of the case and the further submission of the learned counsel for the petitioner that according to the prosecution, the occurrence took place on 25.10.2023 whereas the present FIR has been registered on 08.12.2025. Hence, taking into consideration of the totality of the circumstances and upon the fact that the petitioner being 71 years and 2nd petitioner aged 66 years old and the suits are pending between inter parties, this Court is of the firm view that at this length of time, custodial



interrogation of the petitioners is not required. It is also relevant to mention that the FIR against the petitioner is under challenge in Crl.OP.No.1889 of 2026 dated 30.01.2026. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail subject to certain conditions.

9. 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 No.1, Tambaram**, 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 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, everyday at 10.30 a.m., for a period of fifteen days**



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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

08-04-2026

SHL

To:

1. The Judicial Magistrate No.1,
Tambaram

2. The Inspector of Police,
Central Crime Branch,
Tambaram Police Station,
Tambaram.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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