



WEB COPY

CRL OP No. 8827 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. 8827 of 2026

Balaji S/o. Gangaram,
No.4/278, 2nd Cross Street,
Mugapair East,
Ambattur, Chennai 600 037

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Central Crime Branch,
Tambaram, Chennai.
Crime No.33/2024Chennai

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to release the petitioner on bail pending investigation in Cr.No.33/2024 on the file of the respondent.

For Petitioner(s): G.Mageshkumar

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.03.2026 for the alleged offences under Sections 420, 465, 467, 468, 471 and 472 of IPC in Crime No.33 of 2024 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that A1 sold the property belonging to the defacto complainant in favour of A2, by creating forged death certificate and legal heir certificate of the defacto complainant and the petitioner has attested the Sale Deed. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been under incarceration since 03.03.2026. He would further submit that he is the only attesting witness and he has not involved in any offence as alleged by the prosecution and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and strongly opposed the bail application stating that this petitioner is A3, who has attested in the forged sale deed.

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

6. The only allegation against this petitioner is that he has attested in the forged documents and this petitioner /A3, has been under judicial custody since 03.03.2026. Therefore, taking into consideration of the overt act played by this



petitioner and considering the period of incarceration of the petitioner from 03.03.2026 this Court is of the firm view that further incarceration of the petitioner is absolutely not required for the purpose of investigation. In such view of the position, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Chengalpattu** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] **the petitioner shall sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of 15 days and thereafter as and when required by the investigation officer for interrogation;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned



Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]:

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08-04-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.II, Chengalpattu.
2. The Inspector of Police, Central Crime Branch, Tambaram, Chennai.
3. The District Prison, Chengalpattu.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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