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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31648 of 2026

CNR: {HCMA012578932026}

Muruganandhan

Case QR

..Petitioner(s)

Vs

The State rep. by The Inspector of Police
District Crime Branch, Ariyalur.
Crime No.4 of 2026

..Respondent(s)

This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the Petitioner on bail in the event of his arrest in Crime No.4 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner(s): Mr.SAI KRISHNAN THIAGARAJAN
For Intervenor: Mr.B.Mahendra Naidu

For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 318, 336, 338 and 340 of BNS, 2023, in Crime No.4 of 2026 the file of the respondent police seeks anticipatory bail.

2.The defacto complainant alleges that the accused, in collusion with one

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another, fabricated a false partition deed dated 07.01.2026 in respect of her family property in S.F.No.19/8B, Sengunthapuram Village, and fradulently registered the same as Document No.44/2025 with the Sub-Registrar. When questioned, the accused allegedly abused, threatened and attempted to assault the defacto complainant and her relatives. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner, being the Sub-Registrar, Jayankondam, had merely discharged his statutory duties by registering the partition deed after verifying the identity of the executants. He had neither prepared nor executed the document and had no authority to adjudicate the title of the property. It is further submitted that no specific allegation of conspiracy, dishonest intention or personal gain is made against him and that the dispute is essentially civil in nature. The relevant documents are available in the Sub-Registrar's Office and his custodial interrogation is unnecessary. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned counsel for the Intervenor submitted that the petitioner/A12 had colluded with the other accused in creating and registering a fabricated partition deed in respect of the intervenor's family property. It is further submitted that the investigation is at a crucial stage and that granting

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anticipatory bail may enable the petitioner to tamper with evidence and influence witnesses. Hence, the learned counsel opposed the grant of anticipatory bail.

5. The learned Government Advocate (Criminal Side) opposed the grant of anticipatory bail, submitting that the petitioner, while serving as the Sub-Registrar at Jayankondam, registered the fraudulent partition deed without verifying a valid *patta*. He noted that while the petitioner claims the rule mandating a *patta* was struck down, the prosecution and the Intervenor contend the deed was registered either entirely without a *patta* or by relying on a forged one. He submitted that since the case involves a public servant and a forged document, investigation is necessary. Hence, he opposed for the grant of anticipatory bail to the petitioner.

6.The petitioner is the Sub-Registrar at Jayamkondam. The specific allegation against him is that he registered a partition deed without a patta. The petitioner contends that the rule requiring documents to be registered only alongside a patta has been struck down; therefore, he had no choice but to register the document without it. However, the learned counsel for the Intervenor disputes this, arguing that the partition deed was registered either without a patta or with a forged one. In any event, since the alleged offence

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involves a forged document and the petitioner is a public servant, and considering all the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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-I, Jayankondam,** on condition that **the petitioner shall execute a 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 am for a period of 15 days and thereafter as and when required for interrogation;**

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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 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.

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GBI

To

1.The Judicial Magistrate Court-I, Jayankondam.

2.The Inspector of Police
District Crime Branch, Ariyalur.

3.The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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