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Crl.O.P.Nos.34952 and 34824 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP Nos.34952 and 34824 of 2025

Shankar Reddy S/o.N.Muni Reddy

... Petitioner in Crl.O.P.No.34952 of 2025/A4

Krishnamurthy S/o.Venkatagiriyappa

... Petitioner in Crl.O.P.No.34824 of 2025/A2

Vs

The State Rep. By,

The Inspector of Police,

District Crime Branch No.2 Police Station,

Land Grabbing Wing,

Krishnagiri District.

(Crime No.25 of 2025)

... Respondent in both petitions

COMMON PRAYER: Criminal Original Petitions filed under Section 482

of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the

petitioner on anticipatory bail in the event of arrest by the respondent in

Crime No.25 of 2025 on the file of the respondent police.

For Petitioner

: Mr.R.C.Paul Kanagaraj

in Crl.O.P.No.34952 of 2025

for Mr.A.Tamilselvan

For Petitioner

: Mr.John Sathyan, Senior Advocate

in Crl.O.P.No.34824 of 2025

for P.M.Jayachandran

For Intervenor

: Mr.Sunny Sheen Akkara

in both petitions

For Respondent

: M/s. J.R. Archana

in both petitions

Government Advocate (Crl.Side)



COMMON ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120 B, 417, 419, 420, 447, 465, 468 and 471 of IPC, in Crime No.25 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners herein are ranked as A2 and A4 in this case. It is alleged that the A4 is the manager of Padmanabasa who is the resident of Bangalore and having property in the district of Krishnagiri; having access to the lands belonging to Padmanabasa, colluded with A1 in this case who is named as Nagaraj, by fabricating records, as if, the said Nagaraj in the name of Ramachandrasa as the legal heir, fabricated legal heir certificate and death certificate of the original owner along with the original documents and colluded with A2 and A3 and came forward to grab the land; as the first step, they have executed a power of attorney in favour of A2 which was executed by A1 in this case and on the strength of power of attorney, A2 sold the land in favour of A3 in this case. After the death of Padmanabasa, this fraudulent activity was came to the knowledge of his family members and thereby, the complaint has been lodged against A4 by the defacto complainant who is the son of the



original owner. Hence, the case.

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3. The learned counsel appearing for the petitioner in Crl.O.P.No.34824 of 2025 submitted that the petitioner was not aware of the impersonation committed by A1 in this case and based on the documents produced before him, such as death certificate, legal heir certificate and other connected documents, he has come forward to obtain the power of attorney from A1 in this case and on the basis of the power of attorney, he sold the property and he has not involved in any of the offence as alleged in the prosecution and he further submitted that subsequent to the filing of the complaint, the power of attorney is also cancelled by the impersonator namely Nagaraj; further submitted that all the documents alleged to have been fabricated are available with the police and all the allegations levelled against him are borne out of records and therefore and that he has been falsely implicated in this case, has not involved in any of the offence as alleged and ready to co-operate for the investigation and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned counsel appearing for the petitioner in Crl.O.P.No.34952 of 2025 submitted that the petitioner as early as in the



year 2021 itself, came to learn that there are some fabrication of records and property of Padmanabasa have been dealt with by some fraudsters and he has also came forward to lodge a complaint with the Anti-Land Grabbing Wing and in this regard, enquiry was conducted; subsequently, he has also filed a petition before Learned Judicial Magistrate No.I, Hosur, under Section 156(3) of Cr.P.C. for registration of the case and the same is also pending and he was regularly appearing and assisting the original owner to unearth the truth behind the grabbing of the land; the land was also retrieved by the complainant and he has also sold the same to the 3rd party; hence submitted that the petitioner is ready to co-operate for the investigation and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervenor while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the documents produced before this Court such as Death Certificate, Legal heir Certificate and Aadhar Card and other connected documents collectively shows that A1 in this case whose original name is Nagaraj has claimed himself as Ramachandrasa had obtained legal heir certificate as if he is the only legal heir and further knowingly by impersonation executed a power of attorney in favour of A2 and further A2



and A4 in this case directed and abetted A1 to act as impersonator and execute the documents; he further submitted that though it is stated that the property has been retrieved and sold, since property have been in the hands of the accused and other persons, they had some difficulties to enjoy the land and hence, he confined to option to sell the land, apart from that, he has also submitted that whereabouts of the lands and other facts relating to the land was only known to A4 in this case, since he was the Manager under his father Padmanabasa and taking advantage of the same, he has involved in the offence and hence, opposes to grant anticipatory bail to the petitioners as it will hamper the investigation process.

6. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that they have recorded statement of A1 and he has also categorically stated that A2 and A4 are the main accused, only on their instigation, he has come forward to impersonate and to deal with the property and that the investigation of this case is pending.



7. I have gone through the FIR and other records, though it is stated that the fabrication of documents such as death certificate, legal heir certificate and other identification cards by the impersonator and they came into existence in the year 2014 and subsequently, after the death of the original owner and after lodging the complaint, now A1 himself has come forward to cancel the power of attorney executed in favour of A2 in this case; subsequent to that land was retrieved and the same was sold to the 3rd party; with regard to the investigation, all the allegations are borne out of records; all the allegations are taken place in the year 2014, hence, custodial interrogation of the petitioner herein is not necessary for the purpose of investigation at this point of time, hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner in Crl.O.P.No.34952 of 2025 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Hosur, Krishnagiri District** and the petitioner in Crl.O.P.No.34824 of 2025 is ordered to be released on bail in the event of arrest or on her appearance, **within a period of fifteen days from the date on which the order copy made ready,**



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before the **learned Judicial Magistrate No.II, Krishnagiri District** on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[d] 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



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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];

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

9. Accordingly, these criminal original petitions are ordered.

30.01.2026

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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate No.I, Hosur, Krishnagiri.
2. The Judicial Magistrate No.II, Krishnagiri.
3. The Inspector of Police,
District Crime Branch No.2 Police Station,
Land Grabbing Wing,
Krishnagiri District.
(Crime No.25 of 2025)
4. The Public Prosecutor,
High Court of Madras.

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