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Crl.OP.Nos.136 of 2026 and 36172 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.Nos.136 of 2026 and 36172 of 2025

Crl.OP.No.136 of 2026

D.Koteeswaran

... Petitioner

Vs.

1. The State Rep by
The Station House Officer,
Ariyankuppam Police Station,
Ariyankuppam, Puducherry

... Respondent

Crl.OP.No.36172 of 2025

D.Mohanraj

... Petitioner

Vs.

1. The State Rep by
The Station House Officer,
G-1 Ariyankuppam Police Station,
Ariyankuppam, Puducherry

... Respondent

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioners in the event of their arrest in connection with Crime No.0270 of 2025 on the file of the respondent police, Ariyankuppam Police Station, Ariyankuppam, Puducherry, registered for the alleged offences under Sections 318(2), 336(3), 340(2), 340(3) r/w Section 3(5) of BNS 2023.

Crl.OP.No.0270 of 2025

1/6



For Petitioner : Mr.R.Aravindan
for Ms.M.Ramya
For Intervenor : Mr.E.Chandrasekaran
For Respondent : Mr.M.V.Ramachandra Murthy
Public prosecutor(Puducherry)

Crl.OP.No.36172 of 2025

For Petitioner : Mr.Senthur Kugam
for B.Sudharshanam
For Intervenor : Mr.E.Chandrasekaran
For Respondent : Mr.M.V.Ramachandra Murthy,
Public prosecutor(Puducherry)

COMMON ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 318(2), 336(3), 340(2), 340(3) r/w Section 3(5) of BNS 2023 in Crl.OP.No.0270 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegations against the petitioners are that A2/D.Koteeswaran is having a land, which is situated at Commune Panchayat of Puducherry. He has sold the property in favour of the defacto complainant's vendor in the year 2014. Subsequently, the defacto complainant's vendor has come forward to sell the land in favour of the defacto complainant, by way of registered sale deed on 04.09.2025. Based on the sale deed, when the defacto

2/6



complainant was taking possession, it was obstructed by the petitioners' herein, which led to the registration of the an FIR. Hence, the present case.

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3. The learned counsel appearing for the petitioners in both the cases submitted that in the year 2014 itself A2 has entered into an unregistered agreement with A1 in this case, and they were in possession of the property. Now, without any valid title, the defacto complainant has come forward to take possession of the property. Hence, they have raised an objection and false complaint has been lodged against the petitioners. Therefore, he prayed that anticipatory bail be granted to the petitioners.

4. The learned counsel appearing for the Intervenor submitted that as early as on 19.12.2014, A2 D.Koteeswaran has sold the property by way of registered sale deed and after transferring the property, it was subsequently transferred in favour of the defacto complainant. In order to grab the land of the defacto complainant, both the accused have fabricated an unregistered sale agreement and attempted to file a civil suit. In the civil suit, the has categorically rendered finding that it is a clear case of fabrication of records. Hence, he has vehemently opposed to grant anticipatory bail to the petitioner.



5. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the land in question is a vacant land and the petitioners herein are not having any title over the property and without any valued title, they have obstructed the defacto complainant. Hence, he opposed the grant of anticipatory bail to the petitioners.

6. Heard both sides and perused the materials available on record.

7. Considering the nature of the allegations and the fact that in the background of the decision rendered by the Principal District Court, Puduchery that it is a case of fabrication of records and also prima facie it is revealed that it is a case of land grabbing, I am not not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, these Criminal Original Petitions are dismissed.

09.01.2026

Vv



To

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1. The ***Judicial Magistrate-III, Puducherry***
2. The Station House Officer,
Ariyankuppam Police Station,
Ariyankuppam, Puducherry
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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