



CRL OP(MD). No.894 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 29/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Saravanan
2. Palaniyammal ... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Sub Inspector of Police,
Othakadai Police Station,
Madurai District.
Crime No. 6 of 2026. ... Respondent/Complainant
(as per the amendment order dated 29.01.2026)

For Petitioners : M/s.Mohamed Ashik Jaman.J,
Advocate.
For Respondent : Mr.S.S. Manoj,
Government Advocate (Crl.Side)
For intervenor : Mr. H. Arumugam

PRAYER :-

For Anticipatory Bail in Crime no. 6 of 2026 on the file of the
Respondent Police.

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 62, 336, 337, 338, 316, 318(4) and 351 of BNS, 2023 in Crime No.6 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 2nd petitioner herein, who is the sister of the defacto complainant impersonated the defacto complainant and executed a settlement deed in favour of the 1st petitioner herein. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners and the intervenor and the learned Government Advocate (Criminal Side) appearing for the respondent police.

4. The first petitioner is the brother of the de facto complainant, and the second petitioner is the sister of the de facto complainant. The de facto complainant is already a married person, who subsequently left her husband and eloped with somebody else. It is submitted that the property document was executed by the first petitioner and the de facto



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complainant. However, taking advantage of the resemblance in name, the de facto complainant is now disputing the same. The husband of the de facto complainant had signed as a witness to the said document at the time of its execution. Therefore, the petitioners contend that they have not committed any offence. It is further seen from the records that both parties have filed civil suits claiming rights over the property. The present FIR has been registered pursuant to the direction of the learned Magistrate.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Melur, within a period of fifteen days from the date on which the order copy is made ready and on

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further conditions that:

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[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 am for a period of one week and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions,



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the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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)AIR SCW 5560].

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

(S S Y J)
29.01.2026

TRP
TO

1. Judicial Magistrate, Melur.

2. Inspector of Police,
Othakadai Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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TRP

ORDER
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