



CRL OP(MD). No.1285 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.1285 of 2026

1. Levin Ram
2. Police Kali @ M. Gurusamy
3. Narayanan @ Athinarayana Perumal
... Petitioners/ Accused No.6, 8 & 9

Vs

1. State of Tamilnadu Rep by,
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No. 61 of 2026. ... Respondent/ Complainant

2. P.Shalini
3. M.Diwa Ali ... Respondents 2 & 3

(R2 and R3 are suo motu impleaded as per order of this Court dated 23.01.2026 in Crl.OP(MD).1285 of 2026 by SSYJ).

PRAYER :-

For Anticipatory Bail in Crime No. 61 of 2026 on the file of the respondent Police.



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For Petitioner : Mr.S.M.Anantha Murugan,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

For Intervener : Mr.M.Kannan

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 316(2), 318(2), 318(4), 336(2), 336(3), 340(2), 296(b), 351(2) and 3(5) of BNS, 2023, in Crime No.61 of 2026 on the file of the respondent police, seek s anticipatory bail.

2. The case of the prosecution is that the defacto complainant is doing printing business. In the year 2025, the real estate brokers approached the defacto complainant and stated that 6.5 cents of land is available for sale, which is located in Sivakasi Town Survey Nos.61 and 66. Thereby, the A1 to A3 executed a sale deed in favour of the defacto complainant and his wife vide document No.9946/2025 at the Sub Registrar Office, Sivakasi. Thereafter, the defacto complainant came to know that the land is not belonged to A1 to A3 and they cheated him.



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Hence, this case.

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3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have no way connected in the above said incident. He would further submit that the first petitioner is only stood as witness to the one of the document and the second petitioner is the relative of the first petitioner and the third petitioner only acted as agent and they have not executed any documents and no previous case is pending against them and already A1, who is said to be the main accused was arrested and released on bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the alleged property is originally belong to one Muralitharan. The real estate brokers approached the third respondent and stated that the alleged property is belong to A1 to A3. On believing the same, in order to expand his business, he wanted to purchase the same for sale consideration of Rs.81,90,000/-. A1 to A3 also executed a sale deed in favour of the respondents 3 and his wife with an intention to cheat them. After registration, when the original owner of the property, above said



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Muralitharan, removed the miles stones and fence already put up around the property, he came to know that the accused persons cheated him. The bail petition filed by A2 & A3 was already dismissed. Hence, he strongly opposed to grant anticipatory bail to the petitioners. However, he fairly conceded that the petitioners have no previous case and A1 was arrested and released on bail.

5. The learned counsel for the Intervener would submit that he is the original defacto complainant and the subject matter of property in S.No.671/2 to an extent of 2.36 acres was allotted to the share of one Nagarathinam in the registered partition deed dated 10.02.1954. The said Nagarathinam executed a registered sale deed in respect of Northern side of the property measuring 2750 sq.ft to one Ayya Nadar. The said Ayya Nadar had executed a registered sale deed in favour of PRP.Ramasamy, who is the father of the defacto complainant on 12.03.1982. Thereafter, the said Nagarathinam executed sale deed dated 15.12.1971 with regard to the southern side of the property measuring 2700 sq.ft in favour of Vembathukalai, who in turn to sold it to PRP_.Ramasamy on 12.03.1982. Thereafter, a partition deed has been executed on 30.06.1996 between the



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legal heirs of PRP.Ramasamy. Namely, P.R.Subramanian, R.Kumar, R.Sekar, R.Palrajan/defacto complainant was allotted to the share of one Subramanian, R.Kumar, R.Sekar, R.Paulrajan/defacto complainant, R.Selvarajan, S.Mallikadevi, R.Banumathi, D.Parameswari, B.Selvi and R.Saraswathi Ammal. The subject matter of property in S.No.671/2 was allotted to the P.R.Subramanian, R.Kumar, R.Sekar, R.Palrajan/defacto complainant as item Nos.6 & 7 of first schedule. Hence, the above said property is the ancestral property and the same is absolutely belong to the defacto complainant and his brothers. In such circumstances, the respondents 2 and 3 in this petition, tried to fence the property and the same was obstructed by the complainant. Hence, the third respondent lodged a complaint before the respondent police. The accused had created a forged legal heirs certificate for Nagarathinam and also created the fraudulent records with an intention to grab the property. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

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

7. Considering the rival submissions on either side and the nature



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of offences charged against the petitioners, there is a property dispute between the parties and the first petitioner/A6 is only stood as witness to the one of the document and the second petitioner/A8 is the relative of A6 and the third petitioner/A9 has acted as agent and these petitioners have not executed any documents and no previous case is pending against the petitioner and already A1, who is said to be the main accused arrested and released on bail, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate Court No.II, Sivakasi, Virudhunagar District**, and on further conditions that:

[b] the petitioners shall report before the respondent police, daily at 10.30 a.m until further orders;

[c] the petitioners shall not commit any offences of similar nature.

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



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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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].

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

(P D B J)
01.04.2026
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P. DHANABAL,J

DSS

To

- 1.The Judicial Magistrate Court No.II,
Sivakasi, Virudhunagar District.
- 2.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date : 09/04/2026

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