



CRL OP(MD). No.5547 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/04/2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.5166 of 2026

Markkandan

... Petitioner/ A2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
Crime No.418/2025.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.418/2025 on the file of the
respondent police

For Petitioner : Mr.S.Malaikani,
Advocate.

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

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 467, 468, 471 and 120(B) of IPC, in Crime No.418 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the complainant is aged about 72 years and he is suffered by cancer. On believing the words of the petitioner/A2, on 05.01.2024, the complainant executed a power deed in favour of him vide D.No.91/2024 and in the month of June, he went to Chennai for treatment. Thereafter, on 18.06.2024, A2 executed a sale deed in favour of A3 with the help A4 & A5 based on the Life Certificate given by A1, who is a retired government doctor. After treatment, he came to native place and approached the Sub Registrar, for cancellation of the above said power of attorney. But the respondent police has not taken any effective steps. Hence, he filed a private complaint before the learned Judicial Magistrate under Section 156(3) of Cr.P.C., and as per direction of the learned Judicial Magistrate, the respondent police registered a case against the accused for the aforesaid offences. Hence, this petition.



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3. The learned counsel for the petitioners would submit that the petitioner is an innocent and he was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that one of the relative of the complainant wanted to have the property. Only for that purpose, this case has been registered and no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that on the strength of power deed executed by the complainant, without his knowledge, the petitioner/A2 executed a sale deed in favour of A3 with the help of A4 & A5 based on the life certificate given by A1. Hence, he opposes to grant anticipatory bail to the petitioner. However, he fairly conceded that the petitioner has no previous case.

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

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



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of offences charged against the petitioner and there is a dispute between the parties with regard to execution of power deed and the petitioner is a power holder and the he has no previous case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is 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, Rajapalayam, and on further conditions that:

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

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

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

[e] the petitioner shall not tamper with evidence or



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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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;

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P. DHANABAL,J

dss

To

- 1.The Judicial Magistrate Court,
Rajapalayam.
- 2.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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