



CRL OP(MD). No. 7742 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 7742 of 2026

Shanmugam,
S/o.Murugesan

...Petitioner/A2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
District Crime Branch,
Thoothukudi District.
(Crime No.2 of 2026)

...Respondent/Complainant

For Petitioner : Mr.R.Thamarai Selvan,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl. Side)

For Intervenor : Ms.Jessimathul Fathima S,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER : For Anticipatory Bail in Crime No.2 of 2026 on the file of the
respondent police.



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ORDER : The Court made the following order :-

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The petitioner/A2, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 120B, 465, 468, 471, and 420 of IPC, in Crime No.2 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant has been residing in Chennai on account of her employment, and she purchased a property measuring an extent of 2 acres and 5 cents. The 1st accused in this case is the own brother of the de-facto complainant. It is alleged that the 1st accused induced the de-facto complainant to believe that he was engaged in real estate business along with his friend and the petitioner herein. In November 2022, the 1st accused approached the de-facto complainant and informed her that, if her land was plotted, it would fetch a good profit, and that all formalities relating to plotting the land would be taken care of by him. Relying on the assurance given by the 1st accused, the de-facto complainant agreed. Thereafter, the land was divided into 35 plots under the name and style of “SRK Gardens,” after obtaining the necessary approval from the Government.



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3. On 05.03.2024, the de-facto complainant executed a settlement deed in respect of Plot Nos.18 and 19 in favour of the 1st accused. It is further alleged that the accused persons forged the signature of the de-facto complainant and by using the same, created forged settlement deeds and sold some of the properties. On 26.09.2024, when the de-facto complainant questioned the fraudulent acts of the accused, they threatened her with dire consequences. Hence, the present case.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case, and that he is in no way connected with the aforesaid incident. He has not committed any offence as alleged by the prosecution. He would further submit that the transactions were solely between the de-facto complainant and the 1st accused, and that the 1st accused has been granted anticipatory bail by this Court. Hence, he prays for the grant of anticipatory bail to the petitioner.



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5. The learned counsel for the intervenor would submit that the petitioner is the key figure in the property fraud. She would further submit that the investigation is at a very nascent stage and that, if the petitioner is granted anticipatory bail at this stage, the evidence including the financial trail of the sale proceeds collected by the accused from fraudulent transactions, the communications between the accused, and the statements of the purchasers may be tampered with. Hence, she vehemently opposes the grant of anticipatory bail to the petitioner.

6. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are totally three accused persons in this case, and that the petitioner, who is a land broker, has been arrayed as A2. He would further submit that the 1st accused in this case is the brother of the de-facto complainant, and that there is a property dispute between the 1st accused and the de-facto complainant. However, he opposes the grant of anticipatory bail to the petitioner.

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



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8. Considering the rival submissions made on either side, the nature of the offences charged against the petitioner, the fact that there is a property dispute among the family members, that the main accused/1st accused is none other than the brother of the de-facto complainant, that the petitioner is merely a land broker, and that the co-accused in this case has already been granted anticipatory bail, this Court is 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 learned Judicial Magistrate No.IV, Thoothukudi District, and on further conditions that:

[b] the petitioner shall report before the respondent police once in a week i.e. on every Saturday at 10.30 a.m. for a period of four weeks;

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



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

[e] the petitioner 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 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.

(P D B J)
30.04.2026

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To

- 1.The Judicial Magistrate Court No.IV,
Thoothukudi District.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

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ORDER
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