

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE.**

Wednesday, this the 25th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.888/2026

Muthaiya (Age 50 years)
S/o. Jeganathan.

... Petitioner / Accused

/vs/

State, Rep. by
through the Inspector of Police,
CCB Police Station,
Crime No.81/2024.
Offences:u/s. 120(b), 465, 467, 468 & 471 of IPC.
Through the Public Prosecutor, Coimbatore.
(The Judicial Magistrate Court No.7, Coimbatore.)

... Respondent

This petition has been filed through **e-Filing** on behalf of the petitioner to release him on anticipatory bail u/s.482 of BNSS.

This petition is coming on this day for final hearing before this Court in the presence of **Thiru. S. Jaisurya**, Advocate for the Petitioner/ Accused and **Thiru. V. Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

ORDER

Heard both side.

The petitioner is the accused in Crime No.81/2024 of CCB Police Station, since he is apprehending arrest in the hands of the respondent police for the alleged u/s.120(b), 465, 467, 468 & 471 of IPC, he has filed this petition, seeking grant of Anticipatory bail.

2. The learned counsel for the petitioner submitted that this petitioner introduced the other accused to the defacto complainant and except the same there

is no other allegation leveled against the petitioner. The alleged transaction is held only between the defacto complainant and A-1. The petitioner is innocent and he has been falsely implicated in this case and he never indulged in any such activities as alleged and he is ready to abide any condition and he is apprehending arrest in the hands of the respondent police and prays to grant anticipatory bail to the petitioner.

3. The learned Public Prosecutor submitted that there are five accused in this case. A-1, A-3 and A-4 are known persons. A-1 and A-2 are known persons. A-1 and A-5 are known persons. A-5 is the subsequent purchaser of the defacto complainant's property. The property originally belongs to the defacto complainant. In the year 2023, one Kandasamy introduced A-3 to the defacto complainant. Defacto complainant approached A-3 and requested him to give Rs.5,00,000/- as loan, but A-3 only gave a sum of Rs.2,00,000/- to the defacto complainant on 10-11-2023 and A-3 received defacto complainant's original property documents along with promissory note and 2 nos cheque leaves. Thereafter, the defacto complainant requested A-3 to give the balance amount of Rs.3,00,000/-. At that time, A-3 introduced A-4 to the defacto complainant. Further A-3 and A-4 introduced A-1 to the defacto complainant and assured to give a sum of Rs.3,00,000/-, if the defacto complainant executed a power of attorney in favour of A-1. On the desire words of A-3 and A-4, the defacto complainant had executed a power of attorney in favour of A-1 vide Doc.No.8503/2023, dtd 20-11-2023. Thereafter, A-1, A-3 and A-4 gave a sum of Rs.2,00,000/- to the defacto complainant out of the remaining balance of Rs.3,00,000/-. A-1 and A-4 introduced A-2 to the defacto complainant and A-1, A-2 and A-4 assured the defacto complainant to get best buyers for defacto complainant's property or else A-2 assured to buy the defacto complainant's property for a sum of Rs.2,70,00,000/- and A-2 gave a sum of Rs.1,00,000/- as advance and thereafter he delayed the process. When the defacto complainant questioned about the delay, A-2 gave a cheque of A-1 for a sum of Rs.52,00,000/- On doubting the activities of the accused, the defacto complainant enquired with SRO North and came to know that the said property was already sold to A-5 by creating forged power of attorney and sale deed.

4. The learned Public Prosecutor has further submitted that further investigation would reveal that A-2 and A-2 approached one Gopal for sale of the defacto complainant's property and A-2 and A-1 received a sum of Rs.40,00,000/- and handed over the original documents pertaining to the defacto complainant's property and assured that they will execute sale deed in favour of the said Gopal. Subsequently, instead of executing sale deed in favour of Gopal, A-1 and A-2 created a forged sale deed and power of attorney and sold the property to A-5 for a sale consideration of Rs.60,00,000/-, vide Doc.No.4435/2024, dated 24-06-2024.

After knowing the same, the said Gopal gave a complaint before the SRO North and at the time of enquiry, A-5 gave a sum of Rs.33,00,000/- to the said Gopal and received the original sale deed and power of attorney. On enquiry, SRO North found that A-1 and A-2 created a forged sale deed and power of attorney and by using the same, they had executed a sale deed in favour of A-5. Therefore the SRO North lodged complaint. The learned Public Prosecutor has further submitted that the Hon'ble High Court of Madras has granted anticipatory bail to A-1 and A-2 vide order in Crl.O.P.No.1404/2025 and 1403/2025. No previous case is reported against the petitioner. As of now, investigation is still pending.

5. After considering the submissions, considering the nature of offence, having regard to the nature of dispute between the parties, considering the overt act attributed against the petitioner, as co-accused have been granted anticipatory bail to the co-accused, as no previous case is reported against the petitioner, and investigation is still pending, **this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-**

(i) Anticipatory bail is granted to the petitioner.

(ii) The petitioner shall execute a bond for Rs.10,000/- in the event of his arrest or the petitioner shall surrender before the Judicial Magistrate No.7, Coimbatore, and execute a bond of Rs.10,000/- within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iii) The petitioner shall produce two sureties for likesum each to the value of Rs.10,000/- to the satisfaction of the Judicial Magistrate No.7, Coimbatore, within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iv) 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.

(v) The petitioner is directed to sign before the respondent police daily at 10.00 a.m., for a period of for a period of 15 days.

(vi) The petitioner shall not abscond either during investigation or trial.

(vii) The petitioner shall not tamper with evidence or witness either during investigation or trial.

(viii) On breach of any of the aforesaid conditions, the learned 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]**.

(ix) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 25th day of March, 2026.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to (sent via email):

1. The Judicial Magistrate Court No.7, Coimbatore.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, CCB Police Station.
4. Counsel for the petitioner / accused.