

**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, CHENGALPATTU**

Present : Thiru.T.Chandrasekaran, M.L.,
Principal District and Sessions Judge,
Chengalpattu.

Date: Thursday, the 02nd day of April 2026

Crl.M.P. No.836 of 2026
(CNR No. TNCG01-001843-2026)

1. Laksmi, aged 69 years, W/o.Thangaraj,
2. Jayakumar, aged 45 years, S/o.Thangaraj,
3. Jayabalan, aged 38 years, S/o.Thangaraj,

.. Petitioners/accused

//Versus//

State of Tamilnadu,
Rep. by Inspector of Police,
District Crime Branch, Chengalpattu
Cr. No.01 of 2026

.. Respondent/Complainant

U/s.416, 420, 464, 471, 205 r/w. 34 of IPC.

// and //

Thamishoviya, W/o.Anbarasan,

.. Intervenor/defacto complainant
in CMP No.1074 of 2026

This petition for anticipatory bail coming on this day for hearing before me, M/s.K.Sorubaraj, the learned counsel appearing for petitioners/accused, M/s.R.Thirumurugan, the learned Public Prosecutor appearing for the respondent/complainant and of M/s.M.Nisha, the learned counsel appearing for the intervenor/defacto complainant, upon hearing the arguments and upon perusal of case records, this Court made the following:

ORDER

The petition in Crl.M.P. No.836 of 2026 is filed by the petitioners/accused U/s.482 of B.N.S.S. to enlarge the petitioners on anticipatory bail, whereas the Crl.M.P. No.1074 of 2026 is filed by the defacto complainant/intervenor in order to object to grant anticipatory bail to the petitioners.

2. The petitioners/accused apprehend arrest at the hands of respondent police for the alleged offences U/s.416, 420, 464, 471, 205 r/w. 34 of IPC in connection with Cr. No.01 of 2026 of respondent Police Station.

3. Notice given to the Public Prosecutor for the State and the reply received. Heard both sides. Records perused.

4. The case of the prosecution is that the subject property belongs to the defacto complainant's grand father one Chinnakannu Nayakar. After the demise of the said Chinnakanny Nayakar and his Legal heirs, the defacto complainant being his grand daughter inherited the property. While so, during the year 2000, one Chandran and his wife Kaliasammal by impersonation and by creating and using forged documents, sold the subject properties to the 1st petitioner Lakshmi. Later, during the year 2025, the 1st petitioner settled the property in favour of her sons the 2nd and 3rd petitioners, thus grabbed the defacto complainant's property. Thereby, a case has been registered in Cr. No.01 of 2026 on the file of respondent police station.

5. The learned counsel appearing for the petitioners/accused would submit that the petitioners/accused are innocent persons, they have been falsely implicated in this case; during the year 2000, the petitioners purchased the subject property from the legal heirs of its principal one Chandran for valid consideration; due to his age, the 1st petitioner had settled the property in favour of her sons; the petitioners also mutated the revenue records in their favour; while so, the defacto complainant, without any right over the subject property foisted this false case against the petitioners; moreover, the petitioners are ready to abide by any conditions to be imposed upon them and they are ready to offer substantial sureties before

the court, thereby prays for the grant of anticipatory bail.

6. The learned Public Prosecutor, on the other hand, re-iterated the prosecution case and objected to grant anticipatory bail to the petitioners.

7. The learned counsel who is appearing for the defacto complainant/intervenor would submit that the petitioners have by creating forged, fraudulent documents have executed a sale deed in respect of the subject property thereby grabbed the defacto complainant and vehemently prays for the dismissal of the petition.

8. For reply, the learned counsel for the petitioners would submit that the petitioners are the innocent purchasers for valid consideration; they have never created any forged documents and they never involved any offence. Further, the 1st petitioner is aged about 69 years old and prays to consider the anticipatory bail application.

9. From the perusal of records and from the submissions, it is the allegation that without any legal right the other accused have sold the subject property to the petitioners. It is pleaded by the learned counsel for the petitioners that the petitioners are the innocent purchasers, which is not disputed by the learned Public Prosecutor. The right over the title of the property should be decided by a competent civil court. Taking into consideration the nature of allegations levelled against the petitioners, the petitioners seemed to be the first offenders, no previous case is pending against them, the dispute seemed to be of civil in nature, the age of the 1st petitioner and also considering the overall facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners.

10. In the result, Crl.M.P. No.836 of 2026 is allowed; anticipatory bail granted to the petitioners/accused with the following conditions. The intervenor petition in Crl.M.P. No.1074 of 2026 is closed.

1. The petitioners, in the event of arrest or their surrender before the Judicial Magistrate No.II, Chengalpattu within 15 days, are ordered to be released on bail on their execution of bond for a sum of Rs.10,000/- each with two sureties for a like sum, to the satisfaction of the same Magistrate;
2. The sureties shall affix their photographs and Left Thumb impression (LTI) in the surety bond and the sureties shall produce copy of any identify proof before the learned Magistrate to ensure their identity;
3. The petitioners are directed to report before the respondent station daily at 10.30 A.M. for 15 days;
4. The petitioners shall not tamper with the witnesses or hamper the investigation in any manner;
5. The petitioners should comply with the conditions contemplated u/s.482 (2)(i), (ii) and (iii) of B.N.S.S.;
6. If there is any breach of conditions, the Investigation Officer shall report to the learned Magistrate and the learned Magistrate shall take appropriate action as if the conditions have been imposed by the Magistrate himself/herself in accordance with the decision *AIR 2006 S.C. 100 – P.K. Shaji vs State of Kerala.*

Pronounced by me in open court, on this the 02nd day of April 2026.

Principal District and Sessions Judge,
Chengalpattu.

To
The Judicial Magistrate No.II, Chengalpattu.
The Inspector of Police, District Crime Branch, Chengalpattu