

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

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

Date: Tuesday, the 09th day of June 2026

Crl.M.P. No.1489 of 2026
(CNR No. TNCG01-003177-2026)

Desikamani @ Desikamani Naicker, S/o.Dhamodaran,
Aged about 60 years,
No.44/5, Bajanai Koil Street, Asthinapuram,
Chitlapakkam, Chenalpattu Dist - 600 064. .. Petitioner/accused

//Versus//

State of Tamilnadu,
Rep. by Inspector of Police,
C.C.B. - Tambaram
Cr. No.98 of 2026 .. Respondent/Complainant
U/s.61(2), 318(4), 336(2), 336(3), 340(2) of BNS, 2023.

// and //

M.Muneeswaran, .. Intervenor/defacto complainant
S/o.Late.P.M.Muniyasamy in CMP No.1644 of 2026

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

ORDER

The petition in Crl.M.P. No.1489 of 2026 is filed by the petitioner/accused U/s.482 of B.N.S.S, 2023 praying to enlarge the petitioner on anticipatory bail, whereas the petition in Crl.M.P. No.1644 of 2026 is filed by the defacto complainant/intervenor in order to object to grant anticipatory bail to the petitioner.

2. The petitioner/accused apprehends arrest at the hands of respondent police for the alleged offences U/s.61(2), 318(4), 336(2), 336(3), 340(2) of BNS, 2023 in connection with the Cr. No.98 of 2026 of respondent Police Station.

3. Notice given to the Public Prosecutor for the State and the reply submitted. Heard both sides; records perused.

4. The learned counsel appearing for the petitioner/accused would submit that the petitioner/accused is innocent of offence; implicated in this case; originally, the petitioner's father purchased the property during the year 1997; later, in the year 2011, he executed sale deed in favour of his son - the petitioner herein; while so, the respondent police false implicated the petitioner in this case; moreover, the petitioner is ready to abide by any conditions to be imposed upon her and she is ready to offer substantial sureties before the court, thereby praying to grant anticipatory bail to the petitioner.

5. The learned Public Prosecutor, on the other hand, strongly objected to grant anticipatory bail to the petitioner by stating that originally the subject property belonged to the defacto complainant's grand father, later his father inherited the property. After the defacto complainant became the owner of the subject property. Whiles, using the absence of the defacto complainant, the accused have joined hands and colluded themselves created forged death certificate and Legal Heir certificates, and thereafter using the said forged documents, created so many encumbrances over the property thereby grabbed the defacto complainant's property. Further, the investigation is only at the preliminary stage and hence, he prays for the dismissal of the petition.

6. The learned counsel for the intervenor/defacto complainant made

his vehement arguments in consonance with the arguments made by the learned Public Prosecutor and objected to grant anticipatory bail to the petitioner.

7. From the submissions and records, it appears that the accused have joined hands, created forged documents such as Death Certificate and Legal Certificate of the defacto complainant's father, later using those fraudulent documents, the accused have executed so many transactions in respect of the subject property thereby grabbed the defacto complainant's property. Though the learned counsel for the petitioner pleaded that he acquired the property from his father, the prosecution claims that the purchase of the property by his father itself fraudulent. Though the above aspect has to be decided after trial only, now the investigation seemed to be only at the preliminary stage. Taking into consideration the gravity of the offence, nature of allegations levelled against the petitioner/accused, the investigation is only at the preliminary stage, the strong objection raised by the learned Public Prosecutor and also considering the overall facts and circumstances of the case, this court is not inclined to grant anticipatory bail to the petitioner, at this stage.

8. In the result, the anticipatory bail application in Crl.M.P. No.1489 of 2026 is dismissed; the intervenor petition in C.M.P. No.1644 of 2026 is closed, accordingly.

Pronounced by me in the open court, on this the 09th day of June 2026.

Principal District and Sessions Judge,
Chengalpattu.