

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

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

Date: Wednesday, the 22nd day of July 2026

Crl.M.P. No.2365 of 2026
(CNR No. TNCG01-004691-2026)

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,
S/o.Late.P.M.Muniyasamy

.. Intervenor/defacto complainant
in CMP No.2503 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.V.Krishnamoorthy, 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 submissions and upon perusal of case records, this Court made the following:

O R D E R

The petition in Crl.M.P. No.2365 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.2503 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; 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; the earlier anticipatory bail application was dismissed by this court in Crl.M.P. No.1489 of 2026 dated 09.06.2026; moreover, the petitioner is ready to abide by any conditions to be imposed upon him and he 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, would submit that originally the subject property belonged to the defacto complainant's grand father, later his father inherited the property, thereafter, the subject property came into the hands of the defacto complainant. While so, 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 somany encumbrances over the property thereby grabbed the defacto complainant's property. That apart, some of the accused have approached the Hon'ble High Court, Madras seeking the impugned FIR in Crl.O.P. No.16277 of 2026, however, the Hon'ble High Court of Madras pleased to dismiss the quash petition. 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. 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, stage of investigation and also considering the overall facts and circumstances of the case, the earlier anticipatory bail application was dismissed by this court in Crl.M.P. No.1489 of 2026 dated 09.06.2026, this

court does not find any material change of circumstances. Hence, this court is not inclined to grant anticipatory bail to the petitioner.

8. In the result, the anticipatory bail application in Crl.M.P. No.2365 of 2026 is dismissed; the intervenor petition in C.M.P. No.2503 of 2026 is closed, accordingly.

Pronounced by me in the open court, on this the 22nd day of July 2026.

Principal District and Sessions Judge,
Chengalpattu.