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CRL OP No. 16296 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16296 of 2026

Kowsalya

W/o. K.Moorthy, No.5, Ganapathi Nagar, Thozhur,
Tiruvallur District
602 025.

..Petitioner(s)

Vs

State Represented by
The Inspector of Police,
CCB Aavadi Police Station.
Crime No.39 of 2026

..Respondent(s)

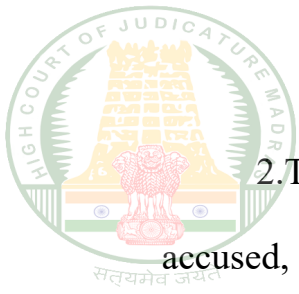
This petition is filed under Section 482 of BNSS Act, 2023 to enlarge the petitioner on bail in the event of arrest by the Respondent in Crime No.39 of 2026 on the file of the respondent.

For Petitioner(s): Mr. Srinivasulu N

For Respondent(s): Mrs.R.S.Indira,
Govt. Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468 and 471 IPC in Crime No.39 of 2026, seeks anticipatory bail.



2.The case of the prosecution is that the petitioner, along with other accused, colluded with each other, created forged sale deeds and fraudulently sold the share in the property belonging to the husband of the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner submitted that the property originally belonged to one Dhanasingh, who had purchased an extent of 1.35 acres under a Sale Deed dated 30.12.1964. At the time of the purchase, an extent of 1.00 acre was already under mortgaged. Subsequently, a partition suit in O.S. No.411 of 1996 was instituted by the legal heirs of Dhanasingh, including the present petitioner. In the said partition proceedings, the entire extent of 1.35 acres was allotted to the petitioner's paternal uncle, Rajamanickam.

4.The learned counsel further submitted that, in the meantime, the mortgagee, in respect of the 1.00 acre that had been mortgaged, instituted a suit. Thereafter, the mortgaged property was brought to sale and was purchased by third parties. Thereafter, the legal heirs of the petitioner's paternal uncle intended to alienate the remaining extent of 35 cents. Since, the petitioner claims to have had a right over the said property, she signed the relevant documents only at their request. The learned counsel submitted that the petitioner is a woman aged about 64 years. He also drew the attention of this



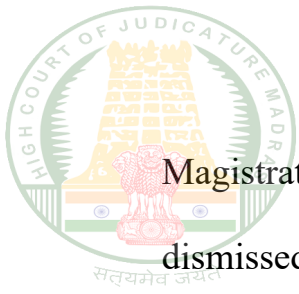
Court to the fact that the co-accused A1 and A7 have already been granted bail by orders dated 28.04.2026 and 05.06.2026, respectively.

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5.However, the learned Government Advocate (Crl. Side) opposed the petition contending that the petitioner, in connivance with the other accused, had fabricated a legal heirship certificate showing the de facto complainant's husband as an unmarried person.

6.Though such allegations have been levelled against the petitioner, considering the fact that she is a woman aged about 64 years and also upon the fact that the co-accused have already been released on bail and the further fact that there is a litigation between the parties at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate – I, Poonamallee, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum, to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned



Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

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[a] If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the application for suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

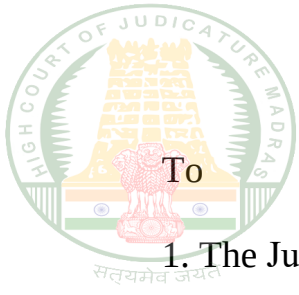
[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**;

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

02.07.2026

smv



To

1. The Judicial Magistrate – I, Poonamallee.

2. The Inspector of Police,

CCB Aavadi Police Station.

3. The Public Prosecutor, High Court of Madras.

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C.KUMARAPPAN, J.

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