



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2021

WEB COPY

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21241 of 2021

Suganthi

.. Petitioner

Vs.

Inspector of Police
CCB-II, Team -25
Land Grabbing Cell
CCB-Chennai.
(Crime No.73 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to grant bail to the petitioner in Crime No.73 of 2021 on the file of the respondent police.

For Petitioner : Mr.J.P.Ravivarman

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 25.08.2021 for the offences under Sections 109, 120B, 34, 419, 420, 465, 467, 468, 471 IPC in Crime No.73 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused impersonated the original owner of the property and alienated the property by way of power of attorney and executed a sale deed. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent lady aged about 50 years and she has been falsely implicated in this case and that she has been suffering incarceration for more than 70 days from 25.08.2021. Hence he prays for grant of bail to the petitioner.



4. The learned Government Advocate raised objection stating that A1 to A5 are still absconding and the petitioner is arrayed as A6 and she stood as witness to the power of attorney. The 7th accused has been arrested and detained under Goondas.

5. Considering the fact that the petitioner is a aged widow and also considering the period of incarceration suffered by her, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Poondamallee, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
11/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE-I,
POONDAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 INSPECTOR OF POLICE
CCB-II, TEAM-25,
LAND GRABBING CELL,
CCB-CHENNAI.

4 THE SUPERINTENDENT,
PUZHAL JAIL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.J.P.RAVIVARMAN Advocate on payment of necessary
charges SR.NO.12635

CRL OP.21241/2021

Date :11/11/2021

CSK 12/11/2021