



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25011 of 2021

Murugammal

... Petitioner

Versus

State represented by its:-

The Inspector of Police,  
Guduvancheri Police Station,  
Kanchipuram District.

(Crime No.62 of 2015)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of the arrest in Crime No.62 of 2015 on the file of the respondent.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl. Side)

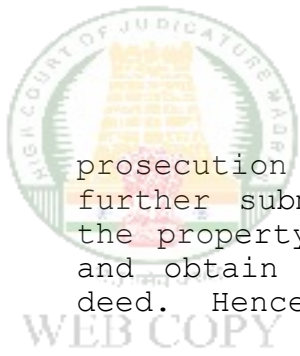
\*\*\*\*\*

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 467, 468, 471 of IPC in Crime No.62 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has lodged the complaint and stating that he is owner of the property Plot No.98, measuring to an extent of 4800 sq.ft in S.Nos.17/2 & 18, Revathipuram Layout, Urappakkam, Ayyancheri Village, Kanchipuram District and purchased the same from the petitioner's power agent Padmanaban in the year 1991. Thereafter in the year of 2002, again the petitioner sold the same property to and in favour of Bakkiyalakshmi, Rajendiran and Ramachandiran through her son cum power agent Jeyabalan. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the



prosecution and she has been falsely implicated in this case. He further submitted that the petitioner obtained power deed and sell the property it is not known to her, due to her old age they misuse and obtain the document she was unaware of the execution of sale deed. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner suppressed the earlier sale through which she purchase the property and transfer the property in the year 2002 by fabricating the another document when she entered to the property she came to know that the property was in the enjoyment of another person. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the *learned Judicial Magistrate, Chengalpattu*, on condition that the petitioner shall execute 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 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 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 as and when requires for interrogation;

(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.

WEB COPY

-sd/-  
22/12/2021

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,  
CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
GUDUVANCHERI POLICE STATION,  
KANCHIPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.M.P.SARAVANAN Advocate on payment of necessary charges SR.NO.15478

CRL OP.25011/2021

Date :22/12/2021

CSK 28/12/2021