



CRL OP NO. 30945 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30945 of 2024

A.Praveena

W/o.S.Amudha Ganesan, No.L 49a, 24th street, L
Block, Anna Nagar East , Chennai 600 102.

Petitioner(s)

Vs

The State Rep by
The Inspector of Police, Central Crime Branch-I,
Veppery, Chennai-600 007.

Respondent(s)

For Petitioner(s):

Kavitha Deenadayalan

For Respondent(s):

S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest in connection with Crime No.149 of 2024, registered offences punishable under Sections 406, 420, 465, 468, 471 r/w. Section 120B of IPC, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant,

<https://www.mhcv.mv/judis> Mrs.S.R.Booshanam is that, she is the owner of the property measuring 4 Acre



and 54 cents in Kovilanjeri Village and she also owns a property built upon 1562 Sq.ft of land in Shenoy Nagar, Chennai. The further allegation is that the petitioner's husband, who is the son of de-facto complainant had taken her to a Registrars office at Tambaram on 01.06.2007 and in the guise of obtaining her permission to put up a petrol bunk in the land, had executed a Settlement Deed and cheated her and that she came to know about the fraud only after the property was sold to some builders. Her further allegation is that in the guise of carrying out some correction in the documents, had obtained her signatures and created documents as if she had relinquished her life interest assured over the house property and driven her out of her house and thereby cheated her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is the wife of A2 and daughter-in-law of the defacto complainant, who is innocent and she has been falsely implicated in this case. He also submitted that the co-accused, who is the husband of the petitioner herein has been granted anticipatory bail by this Court vide order dated 26.11.2024 in Crl.O.P.No.27393 of 2024. He also submitted that the petitioner is ready to abide by any condition that may be imposed by this Court and also to appear and co-operate for the enquiry, therefore he prayed for the grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner by stating that, the petitioner along with her husband, on 01.06.2007, under misrepresentation, made the defacto complainant to settle two properties in their favour. He would further submit that the case is registered based on the directions issued under Section 156 (3) of Cr.P.C and investigation is still pending.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent and perused the entire materials available on record.

6. From the perusal of the records, it is seen that the defacto complainant has executed a settlement deed on 01.06.2007 and she has also executed certain rectification deeds subsequently. Thereafter, the defacto complainant and her daughters have filed two separate suits before the VII Additional City Civil Court, which are pending in O.S.Nos.7241 of 2022 and 6337 of 2023 respectively.

7. Taking into consideration the facts and circumstances of the case and



considering that the co-accused were granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **CCB and CB CID Special Court, Egmore, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of her Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, as and when required 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;



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[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]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

12-12-2024

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- 1.The State Rep by
The Inspector of Police, Central Crime Branch-I,
Veppery, Chennai-600 007.
2. The CCB and CB CID Special Court, Egmore,
Chennai.



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A.D.JAGADISH CHANDIRA,J.,
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