



CRL OP(MD) No.1903 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1903 of 2024

R.LALITHA

... PETITIONER / SOLE ACCUSED

Vs

1 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
CRIME NO.5 OF 2024.

... RESPONDENT/COMPLAINANT

2 C.PADMA

... RESPONDENT / DEFACTO COMPLAINANT

R.ANITHA

... INTERVENER/COMPLAINANT
in CRL MP(MD)No.1820 of 2024
in CRL OP(MD)No.1903 of 2024

For Petitioner : M/S.SHANGAR MURALI Advocate

For Respondent No.1 : Mr.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

For Respondent No.2 : MR.T.BANUMATHY, Advocate

For Intervenor : MR.M.SURESH, Advocate
for MR.A.N.RAMANATHAN, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.



CRL OP(MD) No.1903 of 2024

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.5 OF 2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 420 IPC, in Crime No.05 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the petitioner and the defacto complainant have got seven children, out of which, six children went to abroad and is working in Abroad and have sent their hard-earned money to the defacto complainant. By using the amount sent by her children, the defacto complainant purchased the properties in her name and her husband name and since the defacto complainant and her husband are illiterates, the responsibility of selling and purchasing the properties was handed over to the petitioner. Taking advantage of the same, the petitioner, with an intention to grab the properties purchased by the defacto complainant, has stolen the documents from the defacto complainant and obtained gift settlement deed from her. When one original document is in the custody of the defacto complainant, the petitioner lodged a



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complaint before Navalpattu Police Station in the name of the defacto complainant by affixing the signature of the defacto complainant and obtained missing certificate and she took the defacto complainant and got her signature in the gift settlement deed. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that in fact, the petitioner's husband went to abroad and he has sent hard-earned money to the petitioner and the petitioner has invested the hard-earned money sent by her husband and purchased the property. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor submits that the defacto complainant and her husband has purchased the properties by using the amount sent by their children. The petitioner, in order to grab the properties purchased by the defacto complainant, has stolen the documents from the defacto complainant and obtained gift settlement deed from her. When the original document is in the custody of the defacto complainant, the petitioner lodged a complaint before



CRL OP(MD) No.1903 of 2024

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Navalpattu Police Station in the name of the defacto complainant by affixing the signature of the defacto complainant and obtained missing certificate and she took the defacto complainant and got her signature in the gift settlement deed. Apart from that, one of the properties owned by the defacto complainant was alienated by the petitioner to some other person by creating a forged document and affixing the signature of the defacto complainant.

5. The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the investigation is yet to be completed.

6. It is alleged that the petitioner is the daughter of the defacto complainant and the defacto complainant has seven children, out of which, six children are working in abroad and they have sent their hard earned money to the defacto complainant and her husband. Since they are illiterates, the responsibility of selling and purchasing the properties was handed over to the petitioner. However, the petitioner has stolen the documents from the defacto complainant in order to grab the properties purchased by the defacto complainant and obtained gift settlement deed from her. Apart from this, she has illegally purchased the properties in her name and her husband name by using the amount sent by the defacto complainant's



CRL OP(MD) No.1903 of 2024

children. Considering the facts and circumstances of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
13/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

- 1 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.AN.RAMANATHAN, Advocate (SR-1816[I] dated 14/02/2024)

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-1836[I] dated 14/02/2024)



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CRL OP(MD) No.1903 of 2024

ORDER
IN
CRL OP(MD) No.1903 of 2024
Date :13/02/2024

SS/VR/SAR- /21/02/2024/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023