



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL O.P.No. 1921 of 2025

Komalavalli

Petitioner(s)

Vs.

The State of Tamilnadu,
Represented by the Inspector of Police,
Guduvancherry Police Station,
Chengalpattu District.
(Crime No.95 of 2021)

Respondent(s)

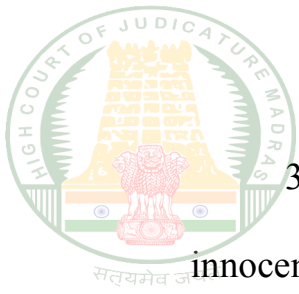
For Petitioner(s): Mr.Anbu Selvan

For Respondent(s): Mr.S.Santhosh, Government Advocate,(Crl.side).

ORDER

Apprehending arrest in connection with Crime No.95 of 2021 registered for the offences punishable under Sections 323, 468, 471, 506(i) of the Indian Penal Code, 1860, (IPC), and Section 4 of Tamil Nadu Prohibition of Harrasment of Women Act, 2002, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution, as per the de-facto complainant, is that the petitioner, along with the co-accused/A1 had forcibly grabbed the property from him. Hence, this case.



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3. Learned counsel for the petitioner submits that the petitioner is an innocent person who has been falsely implicated in this case. The accused/A1 allegedly forced the de-facto complainant to execute a Will in favour of the petitioner. The petitioner has no connection with the offences as alleged by the prosecution. Further, he submits that the accused/A1 has already been arrested and later granted bail. He also submits that the petitioner has no previous cases pending against her. Therefore, he prays for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent Police opposing for granting bail to the petitioner and submits that the petitioner is A2, the wife of the accused/A1. The accused/A1 is the son of the de-facto complainant, and allegedly forced the de-facto complainant to execute a Will in favour of his wife. The forgery is said to have been committed by the accused/A1, the husband of the accused/A2, who is the beneficiary of the Will. However, the petitioner claims that she was unaware of her husband's activities. Further, he submits that there are no previous cases pending against the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, and also considering the facts and



circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Chengalpattu District**, 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 said Magistrate, on further condition that:

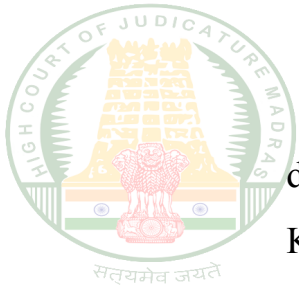
[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10:30 A.M., until further orders;

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

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

- 1.The Inspector of Police,
Guduvancherry Police Station, Chengalpattu District.
- 2.The Judicial Magistrate No.2, Chengalpattu District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D. JAGADISH CHANDIRA, J.

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