



CRL O.P. No.7130 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 26.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.7130 of 2025

M. Malliga W/o. Meganathan ... Petitioner / Accused-2

Vs

State rep. by:-

The Inspector of Police,
Avadi CCB Police Station,
Chennai-600 054.

... Respondent

[Cr. No.11 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Cr. No.11 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.M.D. Mohamed Salih Hussain

For Respondent : Mr. S. Santhosh,

Government Advocate

[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 465, 467, 468, 471, 420 and 120-B of IPC in connection with the case in Cr. No.11

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of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that one Sylvia Padmini, the defacto complainant purchased the disputed property measuring to an extent of 1824 square feet from A3 on 03.09.1992 by a registered Doc. No.4832 of 1992; that she later came to know that one Anantharaj had executed sale Deed in favour of A2, the petitioner herein, after the power of attorney, in his favour, was revoked by the original owner; that hence she did not require a valid tittle; and thus, the petitioner along with other accused had committed the aforesaid offences.

3. The learned counsel for the petitioner would contend that the alleged transactions took place in the year 1992; that the petitioner had purchased the property through a Power Agent, one Anantharaj on 03.09.1992 by a registered Sale Deed in Doc. No.4832 of 1992; that she, in turn, executed Power of Attorney in favour of A3, who is no more and the A3 sold the property to the defacto complainant; that the allegations against the petitioner are false; and that in any case, custodial



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interrogation of the petitioner is not required and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, confirmed the aforesaid facts and submitted that investigation is pending.

5. The petitioner is said to have purchased the property through a Power Agent namely Anantharaj. The case of the prosecution is that the power in favour of the said Anantharaj was revoked by the original owner and sale deed was executed fraudulently in favour of the petitioner. The allegations are borne out by records and the transactions took place between the period from 1990 and 1993. Considering the aforesaid facts and nature of allegations, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.



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6. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Poonamallee, Chennai** 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 conditions 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall report before the respondent police as and when required for interrogation;**



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[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;

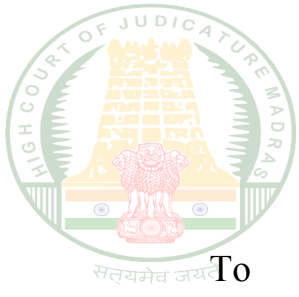
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

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

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- 1.The Judicial Magistrate, Poonamallee, Chennai.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Avadi CCB Police Station, Chennai-600 054.

SUNDER MOHAN. J.,

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