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Crl.OP.No.8463 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8463 of 2025

Sridevi

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
District Crime Branch,
Coimbatore.
(Crime No.27 of 2024)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of arrest in Crime No.27 of 2024 on the file of the respondent Police.

For Petitioner : M/s.P.M.Duraiswamy

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

For Intervenor : Mr.L.Sriram

ORDER

The petitioner, who apprehends arrest at the hands of the respondent

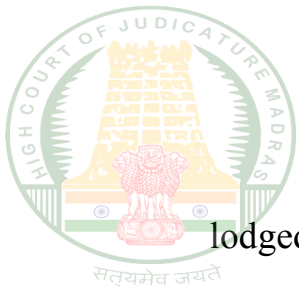


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police for the offences punishable under Section 61(2), 318(4), 316(2), 336(3), 340(2) & 338 of BNS 2023 in Crime No.27 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the first and second accused administered alcohol to the defacto complainant and in ab inebricated condition, took the defacto complainant to the Registrar's office and misrepresented him that he was executing a sale agreement for a sale consideration of Rs.2,00,00,000/- (Two Crores only) and an advance of Rs.30,00,000/- was credited to his account; however the accused, instead obtained signatures on a sale deed in favour of the fourth accused for a nominal sale consideration of Rs.30,00,000/-; and that the petitioner is the daughter-in-law of the fourth accused.

3. The learned counsel for the petitioner would submit that the allegations are after an thought; that the sale deed was registered in favour of the fourth accused; that the petitioner, who is the daughter-in-law of the fourth accused has nothing to do with the case; that the complaint was



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lodged in October 2024 and at that time, the petitioner was in Dubai; and in any case, the custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

4. The learned counsel appearing for the defacto complainant, however, would submit that there is evidence to show that the defacto complainant was administered alcohol and that the sale deed was executed while he was in an inebriated condition and therefore, the sale deed is void.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that investigation is pending and since the petitioner is a resident of the United Arab Emirates, a Look Out Circular (LOC) has been issued by the respondents.

6. Admittedly, there is a sale deed executed by the defacto complainant in favour of A4. It is not the case of the defacto complainant that the signatures had been forged. The question as to whether the sale



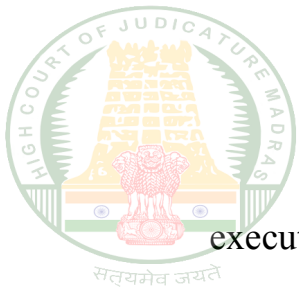
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deed was executed for a lesser consideration and whether the defacto complainant was in an inebriated condition are issues for adjudication in the trial.

7. Considering the aforesaid facts, the nature of allegations, this Court is of the view that custodial interrogation of the petitioner is not required and is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. In view of the above, a Look Out Circular in LOC No.2025406380 of BOI, MHA, Govt. of India order dated 17.02.2025 issued by the respondents shall be suspended to ensure the appearance of the petitioner in the trial.

9. 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 **learned Judicial Magistrate No.VI, Coimbatore**, on condition that the petitioner shall



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execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 their Aadhar card or Bank pass Book to ensure their identity.

[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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Index : Yes / No



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Internet : Yes / No

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SUNDER MOHAN , J.

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To

1.The Inspector of Police,
District Crime Branch,
Coimbatore.

2. learned Judicial Magistrate No.VI, Coimbatore.

3.The Public Prosecutor,
Madras High Court,
Chennai.

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