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Crl.O.P.No.11061 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.11061 of 2025

Kousalya
W/o. Subramani

....Petitioner/Accused

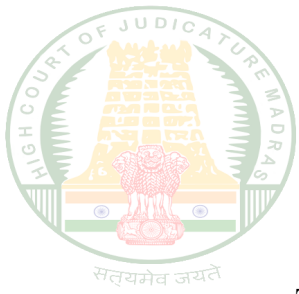
Vs

The State represented by
The Inspector of Police,
CCB Avadi (Crime No.41/2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of her arrest **in Crime No.41 of 2025**, on the file of the
respondent police.

For Petitioner	: Mr. T.G. Ravichandrran
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 419, 468, 467, 471, 420 of IPC, in Crime No.41 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the owner of a land which was sold to the *de facto* complainant; that the petitioner had received a sum of Rs.5,00,000/- and handed over the original documents to her brother who is arrayed as A3; that A3 in turn in conspiracy with A2 impersonated the petitioner and executed a sale deed in favour of the *de facto* complainant and thus committed the aforesaid offence.

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that even according to the case of the prosecution, impersonating the petitioner, the property was sold and that in any case the allegations are borne out by records and sought for anticipatory bail considering the age of the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner had herself lodged a complaint against the impersonator on 04.12.2024 and the same has been registered in Avadi CCB Crime No.47/2025 and that the petitioner had cooperated for enquiry.

5. The petitioner is aged about 70 years. Even according to the prosecution, the petitioner was impersonated by A1 and her property was sold to the *de facto* complainant. Considering, the aforesaid facts, the nature of allegations against the petitioner; and that the allegations are borne out by records, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before **the learned Judicial Magistrate, Thiruvallur**, 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 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 twice a week 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



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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.

15.04.2025

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To

1. The Judicial Magistrate, Thiruvallur.
2. The Inspector of Police,
CCB Avadi (Crime No.41/2025)
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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