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Crl.OP.No.17105of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.17105 of 2025

Poongodi

... Petitioner

Vs.

State rep by
The Inspector of Police,
M-2, M.M.Colony Police Station,
Madhavaram, Tiruvallur.
(Crime No.71 of 2025)

... 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 connection with Cr.No.71 of 2025, on the file of the respondent police.

For Petitioner : Ms.S.Sadhana

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 406 and 420 of IPC in Cr.No.71 of 2025 on the file of the respondent police seeks anticipatory bail.



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2.The allegation against the petitioner is that she, along with the other accused, executed a settlement deed dated 06.01.2003 by including the land belonging to the defacto complainant. Upon coming to know of the same, the defacto complainant initiated civil proceedings in this regard. While the said civil suits are still pending, the petitioner, in collusion with the other accused, allegedly obtained a loan from the Mercantile Bank by using the said settlement deed. Due to default in repayment, the bank officials have attached the property. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and is the rightful owner of the property in question. It was further submitted that civil suits are already pending between the parties. The learned counsel also submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court and, therefore, prayed for the grant of anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is still pending. He further reported that the petitioner had allegedly created a fabricated settlement deed as if the property belonged to



her and used the same to obtain a loan of Rs. 47,00,000/- from the Mercantile Bank. Hence, he strongly opposed the grant of anticipatory bail.

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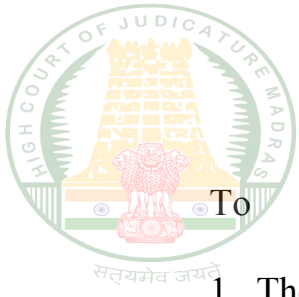
5. Heard both sides and perused the materials available on record, including the FIR. It appears that the property originally belonged to the defacto complainant, whereas the petitioner allegedly created a settlement deed as if the property belonged to her and used the same to obtain a loan of Rs. 47,00,000/- from the Mercantile Bank.

6. Considering that the petitioner not only allegedly fabricated the settlement deed by including the land of the defacto complainant but also mortgaged the same to avail a substantial loan, thereby creating a huge financial burden on the property belonging to the defacto complainant, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

25.09.2025

Vv



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- To
1. The District Munsif-Cum-Judicial Magistrate,
Madhavaram.
 2. The Inspector of Police,
M-2, M.M.Colony Police Station,
Madhavaram, Tiruvallur.
 3. The Public Prosecutor,
High Court of Madras,
Chennai.



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K.RAJASEKAR, J.

Vv

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