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CRL OP No. 21128 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21128 of 2025

1. Mokshavathi Amarnath
D/o.Amarnath, No.2/295, Yadavar
Street, Irandankattalai, Kovur,
Kancheepuram 600 122.

Petitioner(s)

Vs

1. State Rep By
Assistant Commissioner of Police,
Central Crime Branch, Tambaram,
Chennai. Crime No.03 of 2024

Respondent(s)

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PRAYER

To enlarge the Petitioner on bail in the event of her arrest in Crime No.03 of 2024 on the file of the respondent police and thus render justice.

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For Petitioner(s): G.Mohana Krishnan
P. Harsha Vardhini



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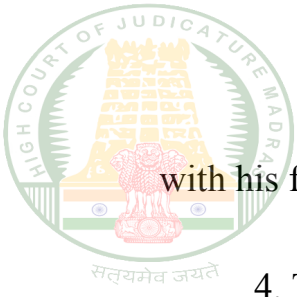
For Respondent(s): Mr. S. Udayakumar
Government Advocate crl. Side.

ORDER

This petition has been filed to enlarge the Petitioner on bail in the event of her arrest in Crime No.03 of 2024 on the file of the respondent police.

2. bThe case of prosecution is that according to the defacto complainant, the petitioner along with other accused was unknown to her but known by one Arulmugaraj and Ramachandran Advocate, on their request and advice, the defacto complainant borrowed money from IOB by pledging her jewels and transferred a sum of Rs.50 lakhs to Cholamandalam Finance Company and get the petitioner's property released the mortgage. She promised to repay the amount within three months but cheated the defacto complainant. Hence, based on the complaint of the defacto complainant FIR registered under Sections 406, 420 and 120B IPC.

3. The learned counsel for the petitioner submits that petitioner is the eldest daughter of A1, who was falsely implicated in this case as if she along



with his father cheated the defacto complainant to the tune of Rs.50 lakhs.

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4. The learned Government Advocate raised objection stating that defacto complainant paid near about Rs.50 lakhs in cholamandalam finance in order to release the mortgage over the property. Thereafter, first accused and this petitioner refused to convey the property in her favour.

5. Heard both sides.

6. As on date, first accused is a absolute owner of the property, which is subject in issue to an extent of 8765 square feet. Further, the first accused was already arrested and released on bail. First accused/Janani has already deposited a sum of Rs.25,00,000/- in crime number. According to the defacto complainant, she had paid a sum of Rs.50 lakhs in order to release the mortgaged property. Now, the petitioner is ready to abide any conditions.

7. Considering the facts and circumstances of the case and also the fact that this Court is inclined to grant bail to the petitioner with the condition that the petitioner shall deposit a sum of Rs.4,00,000/- to the credit of crime No. 3 of



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2024 and defacto complainant is permitted to withdraw the same. Further, a sum of Rs.25,00,000/- has already deposited in the crime No. 3 of 2024, the defacto complainant is senior citizens. Hence, the defacto complainant is permitted to withdraw the said amount of Rs.25,00,000/-.

8. Further the based on the joint declaration cum undertaking the defacto complainant filed the civil suit in OS No. 44 of 2024. The first accused is directed not to make any encumbrance over the suit property till completion of trial. If any deviation, the bail will be cancelled automatically.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, kancheepuram, 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 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.

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[b] the petitioner is directed to report before the respondent police on every Saturday at 10.00 a.m for a period of 8 weeks.

[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 petitioners 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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pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Judicial Magistrate No.I,
kancheepuram.
2. The Assistant Commissioner of
Police, Central Crime Branch,
Tambaram, Chennai.



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T.V.THAMILSELVI J.

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