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Crl.O.P.No.20667 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.20667 of 2025

Anitha

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Central Crime Branch,
Avadi City.
Crime No.71 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.71 of 2025 on the file of the respondent police.

For Petitioner	:	M/s.Radha Pandian
For Intervener	:	Mr.Naveen Kumar Murthy for M/s.S.Varsha
For Respondent	:	Mr.S.Udayakumar, Government Advocate (Criminal Side)



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offence punishable under Sections 419, 420, 465, 468 and 471 of IPC, in Crime No.71 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that she is arrayed as A5 in this case. The case of the prosecution is that A1, by impersonating the de facto complainant, executed a Power of Attorney in favour of A2, and A2, in turn, executed two sale deeds in favour of A3 and A4 during the year 2021. Subsequently, the present petitioner purchased the said property from A3 and A4 in April 2022 and constructed a building thereon. Later, the de facto complainant, on coming to know that the property was in the possession of the petitioner, lodged a complaint and also filed a petition before the Inspector General of Registration seeking cancellation of the said documents, which was allowed. A criminal case was also registered thereafter.

3. The learned counsel for the petitioner submitted that the petitioner is ranked as A5 and that she had been cheated by A3 and A4. It is further



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submitted that she was not aware of the earlier transactions and subsequent documents executed by A3 and A4. After purchasing the property in April 2022, the petitioner availed a loan from the State Bank of India and constructed a three-storey building thereon. Hence, the learned counsel contended that the custodial interrogation of the petitioner is not necessary.

4. The learned counsel for the intervener submitted that the petitioner was well aware of the earlier transactions and that, even after the order passed by the Inspector General of Registration cancelling the documents, the petitioner had obtained further loans and created a further burden, causing loss to the de facto complainant. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there are totally eight accused in this case and that A8 is the main conspirator behind the entire episode. It is further submitted that A8, in collusion with A1 to A4, fabricated the documents and, suppressing the true ownership, sold the property to A5, who thereafter put up a construction, and the investigation is still pending.



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6. This Court has carefully perused the materials available on record, including the FIR and other related documents.

7. Considering the nature of the allegations, the fact that the petitioner purchased the property in the year 2022, that she is a woman, and that she has availed a bank loan for construction of the house, 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. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks, and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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K.RAJASEKAR, J.

cda

To

- 1.The Judicial Magistrate No.I, Poonamallee.
- 2.The Inspector of Police,
Central Crime Branch,
Avadi City.
- 3.The Public Prosecutor,
High Court of Madras.

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