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Crl.OP.No.21676 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.21676 of 2025

Mrs.Banumathi

... Petitioner

Vs.

State Rep by
The Inspector of Police,
District Crime Branch
Tiruvallur District.

... 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 his arrest by the respondent police in Cr.No.11 of 2020 on the file of the District Crime Branch, Tiruvallur District.

For Petitioners : Mr.Gokula Rao

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 419, 420, 465, 468 and 471 of IPC in Crime No.11 of 2020, on the file of the respondent Police, seeks anticipatory bail.



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2.The case of the prosecution is that the defacto complainant has purchased the vacant land measuring to an extent of 2100 Sq. feet from one Jayakumar in the year 1995 and thereafter, she has not developed the property and kept it in idle condition. It is alleged that in the year 2019, she came to know that some unknown person has built a house in her property thereby, she verified with the registration department and found that a sale deed was registered in the name of one Kavitha, who in turn sold the property in favour of this petitioner in the year 2016. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and she has been falsely implicated in this case. He submits that petitioner is only a third party purchaser of the subject property. He also submits that only after duly verified the title, she purchased the property by availing a loan. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for her release. Hence, he prays for grant of anticipatory bail to the petitioner

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and reported that there are totally 8 accused in this case and the petitioner is arrayed as A3. He further



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submits that already A1 and A2 were arrested and during the course of investigation, it came to light that all the accused persons colluded together by impersonation by Nalini/A4 and executed a sale deed in favour of one Kavitha, who inturn sold the property in favour of this petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by learned counsels on either side, taking into account the allegation against the petitioner that she purchased the property from one Kavitha in the year 2019 based on the title deed stands in her name, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 No.II. Tiruvallur** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with



two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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]**;



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

09.10.2025

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To

- 1.The Judicial Magistrate No.II, Tiruvallur
2. The Inspector of Police,
District Crime Branch
Tiruvallur District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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