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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.09.2025

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.24473 of 2025

1. Rosy

2. Julie

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Central Crime Branch, Gama – I,
Vepery, Chennai – 7
(Crime No.57/2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in
connection with the Crime No.57 of 2025 pending investigation on the file of
the Inspector of Police, CCB-I, Vepery Chennai.

For Petitioners : Mr.R.C. Paul Kanagaraj for
Mr.A.Abdul Rahman

For Respondent : MrA. Gopinath
Government Advocate (CrI.Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.07.2025 for the alleged offences punishable under Sections 109,120B,465,467,468,471 and 420 of I.P.C in Crime No.57 of 2025, seeks bail.

2. The case of the prosecution is that the subject property belongs to one Subrami. While so, the petitioners herein who have no right over the property are claiming right over the property stating that the property belongs to one Suresh and the first petitioner is the wife of the Suresh and the second petitioner is the daughter of the Suresh. It is also pertinent to note that the petitioners herein created some forged documents and on the strength of those documents the first petitioner executed a Release Deed on 29.10.2018 to the second petitioner and the same was registered as Document No.2610 of 2018. Based on the said release deed the second petitioner executed a Power of Attorney Deed in favour of A4, who in turn sold the property. Hence, the case.



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3. The learned counsel appearing for the petitioners would submit that they have right over the property and to substantiate the same they have original records. He further submitted that all the records produced by them are genuine and approved by the Government authorities and they are not fabricated documents. Hence, he prayed to grant bail to the petitioners.

4.Per contra, the learned Government Advocate (Crl.Side) would submit that already the petitioners have filed two bail applications before the Lower Court and the same were dismissed. He further submitted that with regard to the property dispute already there were two suits pending in O.S.No.587 of 2014, X1 Assistant Civil Court at Chennai and O.S.491 of 2015 before the XXVIII Metropolitan Magistrate Court. Pending suits the petitioners have executed the sale deed in respect of the subject property. Therefore, the alleged sale deed is not a valid transaction. However, the investigation is also completed. Hence, opposed to grant bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (Out of which one surety should be a blood surety)**, each for a like sum to the satisfaction of the **learned CCB-CBCID Metropolitan Magistrate, Egmore, Chennai** , and on further conditions that:

[a] if the petitioners failed to surrender before the concerned Magistrate within a period of 15 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 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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[c] the petitioners shall report before the CB-CBCID Metropolitan Magistrate, Egmore, Chennai every Tuesday and Saturday at 10:30 a.m daily for a period of four months;

[d]the petitioners shall not tamper with evidence or witness during trial;

[e]the petitioners shall not abscond during trial;

[f] the petitioners should not attempt to create any encumbrance in the subject properties along with A1 and A5.

[g]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 petitioners 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]***; and;

[h]if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.



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8. All the original documents with regard to the subject property shall be retained by the Investigation officer till the disposal of the suits. If there is any deviation with regard to the said condition, it will amount to cancellation of bail. The respondents are directed to send the copy of this order to the concerned Sub-Registrar office.

08.09.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Inspector of Police,
Central Crime Branch, Gama – I,
Vepery, Chennai – 7

2. The **CCB-CBCID Metropolitan Magistrate, Egmore, Chennai**

3. The Central Prison,
Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI,J.

smn

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