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Crl.O.P.Nos.27738 and 27740 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NOS.27738 and 27740 of 2025

1. Udhayalakshmi ... Petitioner in Crl.O.P.No.27738 of 2025

2. Jaya ... Petitioner in Crl.O.P.No.27740 of 2025

Vs

The State rep. by,
The Inspector of Police,
District Crime Branch,
Kancheepuram District.
(Crime No.03 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.03 of 2025 on the file of the respondent police.

For Petitioner in Crl.O.P.No.27738 of 2025 : M/s. B. Gopilatha

For Petitioner in Crl.O.P.No.27740 of 2025 : Mr. A. Vinoth Kumar

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 21.08.2025 for the offences punishable under Sections 319, 336, 338, 340, 318 and 3(5) of BNS in Crime No.03 of 2025, registered on the file respondent police, seek bail.

2. The case of the prosecution is that the petitioner/ Udhayalakshmi is the daughter of the petitioner/ Jaya herein; that the petitioner/ Jaya on the instigation of the co-accused, impersonated herself as the defacto complainant and executed General Power of Attorney deed in respect of defacto complainant's land in favour of A1 by means of impersonation; that A1 in turn executed sale deed in favour of A3 and subsequently, the same was transferred in the name of A4; that thereby causing lot of transactions in order to grab the defacto complainant's land; that while the defacto complainant verified the records, she found that the accused had fraudulently created a fake Aadhaar card in her name and by means of personation, the accused had created General Power of Attorney and sale deeds in respect of her property. Hence, this case.

3. The learned counsels appearing for the petitioners submitted



that the petitioner/ Jaya is a senior citizen and she is an illiterate person; that being the known person of one of the co-accused namely Saranraj, who called her to stand as one of the witness for an agreement, she signed the document, but she was not aware about the alleged impersonation or execution of General Power of Attorney deed in favour of A1; that since the petitioner/ Udhayalakshmi is the daughter of the Jaya, she was also implicated in this case. He further submitted that one of the co-accused namely Tamilvanan was granted bail by the lower Court and the petitioners are in judicial custody since 21.08.2025 and the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that there are totally 10 accused involved in this case and the petitioners herein are arrayed as A9 and A2 respectively; that the petitioners herein colluded with other accused with an intention to grab the property of the defacto complainant, fraudulently created fake Aadhaar Card of the defacto complainant, thereby A2 impersonated as the defacto



complainant's Principal and executed General Power of Attorney in favour of A1; that thereafter subsequent transactions were taken place among the accused over the defacto complainant's property; and that the investigation is pending.

5. Considering the facts of the case, taking note of the specific overt act against the petitioner/ Jaya in Crl.O.P.No.27740 of 2025 that she had impersonated herself as the real owner of property and executed General Power of Attorney deed in favour of A1 and the fact that the investigation of this case is pending, **this Court is not inclined to grant bail to the petitioner/ Jaya in Crl.O.P.No.27740 of 2025 at present.**

6. Considering the facts, allegation against the petitioner/ Udhayalakshmi and the period of incarceration undergone by her, this Court is inclined to grant bail to the petitioner/ Udhayalakshmi in Crl.O.P.No.27738 of 2025 with certain conditions.

7. Accordingly, the petitioner/ Udhayalakshmi is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees**



Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kancheepuram

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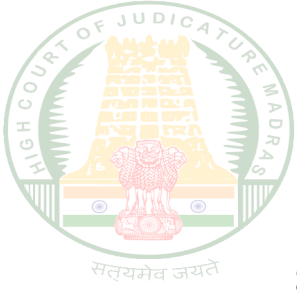
District and on further conditions that:

[a] 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;

[b] **the petitioner/ Udhayalakshmi shall report the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

[c] 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]**;

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



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8. Accordingly, the criminal original petitions in Crl.O.P.No.27738 of 2025 is ordered and Crl.O.P.No.27740 of 2025 is dismissed.

10.10.2025

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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.

To

1. The Judicial Magistrate No.I,
Kancheepuram District.
2. The Inspector of Police,
District Crime Branch,
Kancheepuram District.
(Crime No.03 of 2025)



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K. RAJASEKAR, J.

stn

3. The Superintendent,
Special Prison for Women, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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