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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.11.2025**

CORAM

**THE HONOURABLE MR JUSTICE K.RAJASEKAR**

**CRL.O.P.No.27841 of 2025**

Shanthi

... Petitioner

Versus

The State rep by its,  
The Inspector of Police,  
CCB – Avadi,  
Avadi City.  
(Crime No.82 of 2024)

.. Respondent

**Prayer:-** Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in Crime No.82 of 2024 on the file of the respondent police.

For Petitioner : Mr.B.Kumarasamy

For Respondent : Mr.S.Udaya Kumar,  
Government Advocate (Crl. Side)

### **ORDER**

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 406 & 420 of IPC in Crime No.82 of 2024 seeks anticipatory bail.



2.The allegation against the petitioner is that she is ranked as A3. It is alleged that A1, by producing a fake death certificate of the original owner one Kaliyamoorthy, who is the husband of the petitioner obtained a loan of Rs. 3 crores on the said property in collusion with one G.T.Raja. Subsequently, ICICI bank initiated proceedings against the property, and by suppressing the same, the petitioner sold the property in favour of third parties. Hence, the complaint was lodged against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner was not aware of the earlier transactions and that she was duped by her driver, one Poovarasu. He further submitted that the petitioner has not derived any benefit from the loan transaction availed from ICICI Bank. He further submitted that she was forcibly dispossessed from the property and therefore, has initiated separate proceedings challenging such dispossession. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police by filing a counter, submitted that the loan granted in favour of one G.T.Raja by ICICI Bank and though the petitioner has been shown as 3<sup>rd</sup> accused, she was not directly involved in the said loan transaction. He further submitted that the investigation revealed that in the



year 2018, prior to the loan being availed by G.T. Raja, the petitioner in collusion with one Asirvatham, fabricated documents and collected a sum of Rs.25 lakhs and executed a power of attorney. On the strength of the said power of attorney, the property was sold in favour of the mother of G.T. Raja. He further submitted that the investigation is still in progress. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side and on perusal of the FIR, it is revealed that the loan proceeds availed by G.T.Raja from the bank were disbursed only to the account of his mother and sister concern, and not to the petitioner herein. Though it is alleged that the petitioner was involved in the sale of the defacto complainant's husband property, prima facie it appears that she is not directly connected with the present allegations. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) 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.20,000/- (Rupees Twenty 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 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;

**(b) the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**

(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 petitioner 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]; and;***

(f) if the accused thereafter absconds, a fresh FIR can

**WEB COPY** be registered under Section 269 of B.N.S.

**06.11.2025**

drl

**To**

1.The Judicial Magistrate No.I,  
Poonamallee.

2. The Inspector of Police,  
CCB – Avadi,  
Avadi City.

3.The Public Prosecutor,  
High Court, Madras.

**K.RAJASEKAR, J.**

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