



Crl.O.P.No.29146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29146 of 2025

V.M.Jayalakshmi

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
T-15 SRMC Police Station,
Avadi District.
Crime No.444 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of their arrest in Crime No.444 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.A.Sivapandi
For Respondent	:	Mr.S.Udayakumar Government Advocate (Criminal Side)
For Intervener	:	Mr.E.Viswanathan



CrI.O.P.No.29146 of 2025

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ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 464, 465, 468, 470, 471 of IPC in Crime No.444 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that petitioner is the land owner and suppressing the land being in the SARFAESI proceedings, in the CITI Bank for the loan obtained in the name of the petitioner's husband, and he petitioner is also the co-borrower, had sold the property to the defacto complainant for a sum of Rs.55 lakhs after obtaining Non-Traceable Certificate. Hence, the case.

3. The learned counsel for the petitioner submitted that, there is no encumbrance over the property and since the original sale deed was missing, the petitioner after obtaining Non-Traceable Certificate, sold the property in favour of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.29146 of 2025

4. Per contra, and the learned counsel appearing for the intervener submitted that, the petitioner herein has suppressed the loan borrowed from the CITI Bank in the year 2018 and the same has become Non-Performing Asset and proceedings initiated under Section 13(2) and 13(4) of SARFAESI Act and these facts were suppressed and claiming that, original title deed was missing, by obtaining non-traceable certificate, the property has been sold in favour of the defacto complainant. Hence, they opposed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) submitted that the SARFAESI proceedings were initiated as early as 2019 and notices demanding payment was also made to the petitioner herein as early as 11.05.2019.

6. Considering the fact that it is a classic case of misrepresentation and cheating the defacto complainant to the tune of Rs.55 lakhs . Hence, this Court is not inclined to grant anticipatory bail to the petitioner.



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Crl.O.P.No.29146 of 2025

K.RAJASEKAR, J.

sma

7. Accordingly, this Criminal Original petition is dismissed.

27.10.2025

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To

1.The Inspector of Police,
T-15 SRMC Police Station,
Avadi District.

2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.29146 of 2025