IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.4483 of 2026

Buvaneshwari ... Petitioner

Vs.

The State of Tamilnadu
Rep by Inspector of Police,
Central Crime Branch-1, EDF-III, Beta VI
Vepery, Chennai-600 007. ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of arrest by the respondent police in Cr.No.63 of 2025 pending investigation on the file of Central Crime Branch-I, Vepery, Chennai-07.

For Petitioner	:	Mr.V.Krishanamoorthy
For Respondent	:	Ms.J.R.Archana Government Advocate (Crl.Side)
For Intervenor	:	D.Muthuselvam

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 409, 420, 465, 468, 471, 34 and 120B IPC in Cr.No.63 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The defacto complainant lodged a complaint before the respondent stating that she was approached by A1, who offered to assist her in constructing a hospital on her land measuring 9,227 sq. ft. She had paid a sum of Rs.2,27,57,512/- to A1 for carrying out the construction and other preliminary works. In this regard, a Power of Attorney was also executed in favour of A1 with specific instructions that it should be used only for developing the land into a hospital.

3. However, taking advantage of the Power of Attorney executed in his favour, A1 sold the property to A2 , who is his wife, by executing three sale deeds. Prior to executing the said sale deeds, A1 had also entered into certain agreements, and while preparing these agreements as well as the sale deeds, the accused forged the life certificate of the defacto complainant and used the same for registration purposes. In the said sale deeds, A6, A7, A8, and A9 have attested the documents as witnesses.

4. In the year 2021, A4 approached A2 for purchasing one of the plots and for developing the same. Accordingly, A4 obtained a Power of Attorney from A2 for the purpose of developing the land and entered into a sale agreement with one of the prospective purchasers of the plots to be

developed by him. Thereafter, upon coming to know of the various transactions and malpractices committed by A1 in collusion with his family members, the defacto complainant lodged the present complaint on 08.04.2025.

5. The learned counsel for the petitioner submitted that the entire allegation regarding the misrepresentation, fabrication of records, cheating are only levelled against the A1 in this case who is the husband of the petitioner herein. Now the petitioner's husband was arrested and on the basis of the statement recorded from him. The respondent has seized all those documents including the power of attorney obtained to the petitioner and also various acknowledgment letter and also partnership deed executed between the petitioner and A1 and also some of the unfilled bank cheque books. Further, the house of the petitioner searched and all the property documents including the sale deed alleged to have executed in favour of the petitioner is also separately seized by the police. He further submitted that A1 has collected money from the third party and also dealt with the property with the other accused. He further submitted that the petitioner is being a lady living with her husband and she has not actively participated in any of the alleged transactions. He further submitted that there are many payments

were made from the petitioner's bank accounts to various persons including A1 for the purpose of transferring the land belongs to the defacto complainant in favour of the petitioner herein. He further submitted that she has already appeared on summons and participated in the enquiry and submitted all the facts known to her. Hence, he prayed for grant of anticipatory bail to the petitioner. Further, the earlier petitions were dismissed on the ground that the sale deed executed in favour of the A2 by the A1 is a **sham** document. He further submitted that the same is not a sham document and some of the payments have been made by the petitioner herein also adjusted by the A1. He further submitted that he is ready to cooperate with the investigation and the custodial interrogation of the petitioner in this case is not necessary and prays to grant anticipatory bail.

6. The learned counsel for the Intervenor submitted that this Court has elaborately considered the merits of the claim by the order 23.09.2025 and dismissed the case of the petitioner herein on the ground that the documents entered between A1 and A2 is a sham document. Similarly the second time also the very same observation has been made and the same is liable to be dismissed. Now, the petitioner seeks anticipatory bail by seeking false claim. Hence the petitioner is not entitled to grant anticipatory bail.

7. The learned Government Advocate (Crl.Side), appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is also actively participated in all the fabrication of records and other connected activities to cheat the defacto complaianant and she is beneficiary in the sale deed and if the petitioner is enlarged on anticipatory bail, it will hamper the investigation and fairly stated that the petitioner is appeared for enquiry before the respondent on receiving summons. However, she vehemently opposed the grant of anticipatory bail.

8. I have also gone through the earlier order in Crl.OP.Nos.12619, 11648 and 11892 of 2025 dated 23.09.2025. This court in the earlier order recorded there is a connivance between A1 and A2 for grabbing the defacto complainant's property Hence, she was not entitled for anticipatory bail.

9. When the matter is taken up for hearing today, the statement recorded from A1 was produced and it reveals that various facts and he has categorically stated that he fabricated the life certificate of the defacto complainant in this case and executed a sale deed in favour the petitioner herein in the year 2021 itself and for the purpose of showing the sale consideration, he has fabricated a document. Further he has also fabricated a

power of attorney as if A2 has issued power of attorney in favour of one Bala Sundaram and he has collected money from the third parties and enriched himself. Those facts, which revealed that A1 has actively participated in the fabrication and other misappropriation and cheating the defacto complainant.

10. Though it is stated that the petitioner is also actively connived with A1, a bare perusal of the statement of the A1 revealed that all these transactions was executed in favour of the petitioner herein, the same was taken place as early as in the year 2021. In this regard, A1 was already arrested and all the documents concerned with this case were already been seized.

11. Considering the fact the petitioner being a lady and as discussed in the earlier paragraph, her role is very limited as a wife of A1, she has not raised any objection to the activities of A1 and it is also stated in the statement of A1 that he has done all the illegal activities, I am of the view that the custodial interrogation of the petitioner is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

12. Accordingly, the petitioner is ordered to be released on bail in the

event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Assistant Chief Metropolitan Magistrate for CCB and CBCID Special Court, Chennai, Egmore*** 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 learned Magistrate concerned, and on further condition that:

> (a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;
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> (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 identify proofs to ensure their identity;
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> (c) **The petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four week and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

26.02.2026

Vv

To

1.The ***Assistant Chief Metropolitan Magistrate for CCB and CBCID Special Court, Chennai, Egmore***

2.The Inspector of Police,
Central Crime Branch-1, EDF-III, Beta VI
Vepery, Chennai-600 007.

3.The Public Prosecutor
High Court of Madras, Chennai 600 104.

K.RAJASEKAR, J.

Vv

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