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CRL OP No. 7208 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7208 of 2026

N.Rahimunisha @ Monisha

..Petitioner

Vs

State Represented by;
The Inspector of Police,
T.6, Avadi Police Station,
Tiruvallur District.
Crime No. 49/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in Crime No. 49/2026 on the file of the respondent/complainant.

For Petitioner:

Mr.S.Anbarasan

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.02.2026 for the alleged offences under Sections 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023 (Section 407 & 420 of Indian Penal Code, 1860) in Crime No.49 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners along with others cheated the defacto complainant and fraudulently registered a sale deed in



respect of property of the defacto complainant without giving any consideration.

Hence, the case was registered.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is only a real estate broker and has no direct role in the alleged transaction. It is submitted that there was no monetary transaction between the petitioner and the defacto complainant. The learned counsel would further submit that the co-accused have already been granted bail in Crl.O.P.No.7378 of 2026 dated 24.03.2026. It is also submitted that the petitioner has been in custody since 02.02.2026. Hence, he prayed for granting bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was involved in fraudulent transaction. However, it is admitted that co-accused have already been released on bail. Hence, he opposed the bail.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Considering the submission of the learned counsel on either side, it is seen that the petitioner is only a broker and co-accused have already been released on bail in Crl.O.P.No.7378 of 2026 dated 24.03.2026. Considering the



nature of allegations, parity with co-accused and the period of incarceration undergone by the petitioner since 02.02.2026, this Court is inclined to grant bail, subject to certain conditions.

7. Accordingly, the petitioner 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 for a like sum each to the satisfaction of the learned **Judicial Magistrate, Poonamallee, Thiruvallur District** and subject to the following conditions:

[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 shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on



bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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, Poonamallee, Thiruvallur District.
2. Central Prison, Puzhal II
3. The Inspector of Police, T.6, Avadi Police Station, Tiruvallur District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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