



WEB COPY

CRL OP No. 8847 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8847 of 2026

Dhanalakshmi
W/o. Srinivasan,
No. 1/4, Bajanai Kovil Street,
Old Perungalathur Village,
Perungalathur Post,
Kancheepuram District.

..Petitioner(s)

Vs

State rep by its, The Inspector of Police,
T - 10, MANIMANGALAM POLICE STATION,
Kancheepuram District.
(Crime No.386 of 2023)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on Bail in the event of her arrest in connection with in Crime No.386 of 2023 pending on the file of the Respondent Police and thus render justice.

For Petitioner(s):

Mr.D.Dayalan

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 409, 420, 464 of IPC, in Crime No.386 of 2023, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the defacto complainant's family owned 10 acres of land, out of which 8 acres were sold in 1970, leaving 2 acres. In respect of the remaining land, a Power of Attorney was executed in favour of the first accused, who is now deceased. It is alleged that, despite cancellation of the said Power of Attorney, the first accused executed a sale deed in favour of the petitioner in 2011 (Doc.No.7663/2011). Thereafter, the petitioner executed a gift deed in favour of her family members. Subsequently, an FIR came to be registered on 02.11.2023 alleging fraudulent transaction. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a bona fide purchaser for valuable consideration, who acquired the property through a registered sale deed in 2011 without knowledge of any defect. He further submitted that the dispute is purely civil in nature and has been given a criminal colour with inordinate delay. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner is involved in a fraudulent transaction. The property was sold on the strength of a Power of Attorney which had already become invalid due to the death of the first accused. He further submitted that



the petitioner, with knowledge of the defect, had purchased the property and subsequently executed a gift deed to screen the illegal transaction. The act clearly discloses dishonest intention to cheat the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the above submission, it is clear that the occurrence took place during the year 2011, whereas the FIR has been registered only on 02.11.2023, therefore this Court is of the view that at this length of time, the custodial interrogation of the petitioner is not required in respect of the offence charged against him. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Sriperumbudur**, 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 learned Magistrate concerned, and on further conditions:



(a) If the petitioner fails to surrender before the concerned learned 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;

(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;

(c) The petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

DRL

08-04-2026



To

1.The Judicial Magistrate,
Sriperumbudur.

2.The Inspector of Police,
T - 10, MANIMANGALAM POLICE STATION,
Kancheepuram District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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