



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 16-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 12789 of 2026**

Devika  
W/o Mahalingam,  
Residing at No. 11/46,  
Dr. Ambedkhar 5<sup>th</sup> Street,  
Korukupet, Washermenpet  
Chennai – 600021.

..Petitioner(s)

Vs

The State represented by Inspector of Police  
R K Nagar Police Station,  
Washermenpet,  
Chennai.  
Crime No.71 of 2026

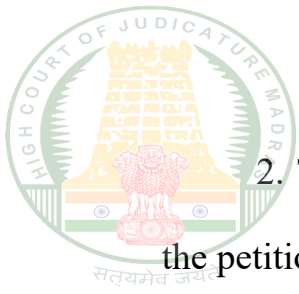
..Respondent(s)

**PRAYER:** Criminal Original Petition has been filed under Section 482 of BNSS, praying to enlarge the petitioner herein on Anticipatory Bail in the event of her arrest in connection with the Crime No. 71 of 2026 on the file of the respondent/police.

|                    |                                                    |
|--------------------|----------------------------------------------------|
| For Petitioner(s): | Mr.S.Sabarish                                      |
| For Respondent(s): | Mr.N.Palanivel,<br>Government Advocate (Crl. Side) |
| For Intervenor(s): | Mr.D.Kaviyarasu                                    |

**ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 318(3), 336(3), 235 & 237 of BNS, in Crime No.71 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that the first accused is the husband of the petitioner and the first accused had obtained a legal heir certificate in respect of his deceased father without including the name of his siblings as legal heirs and thereafter settled the property in favour of his i.e. the petitioner herein. Hence the case.

3. The learned counsel appearing for the petitioner submitted that it is a case of fabrication of Legal heirship certificate. There are two accused in this case. A1 is the husband of the petitioner and he is already enlarged on anticipatory bail by this Court vide order dated 17.04.2026 in Crl.OP.No.9178 of 2026. He further submitted that the Legal Heirship certificate No.8029/2010 in Serial No.589 dated 05.04.2010, itself refers to the existence of the other siblings of the first accused, and therefore, the allegation of suppression is factually incorrect. He further submitted that the petitioner is an innocent and he has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervener, by placing reliance on the reply furnished by the Information Officer from the Tahildar office dated 14.06.2024, submitted that no such legal heir certificate was issued by the said office. Hence, he opposed to grant anticipatory bail to the petitioner.



5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that though the names of other legal heirs are referred to and they were mentioned as pre-deceased. Hence, he opposed to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner, intervenor and the learned Government Advocate (Crl.Side) for the respondent.

7. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

8. From the submissions on either side, it is seen that the only overtact as against this petitioner is that the subject property was transferred in her name. Apart from the said allegation, there is no specific overtact act been attributed to her. It is also brought to the notice of this Court that the husband of the petitioner, who is a co-accused, has already been enlarged on bail. Considering the fact that the petitioner is a woman and having regard to the principle of parity, this Court is of the view that the petitioner has made out a case for grant of anticipatory bail. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail.



9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned XV Metropolitan Magistrate, George Town, 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 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.

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16-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AH

To

- 1.The Inspector of Police,  
R K Nagar Police Station,  
Washermenpet,  
Chennai.
- 2.The XV Metropolitan Magistrate,  
George Town.
- 3.The Public Prosecutor,  
High Court, Madras.



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**C.KUMARAPPAN, J.**

**AH**

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**16-06-2026**  
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