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Crl.O.P.No.16219 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.16219 of 2026

Gayathri,
W/o Suresh

... Petitioner/Sole accused.

Vs.

The State rep by
The Inspector of Police,
J-2 Adyar Police Station,
Chennai.
(Crime No. 62 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of her in Crime No.62 of 2023 on the file of the respondent police.

For Petitioner : Mr.J.Thomassaransingh
For Respondent : Mr.N.Palanivel,
Government Advocate (Crl.Side)

ORDER

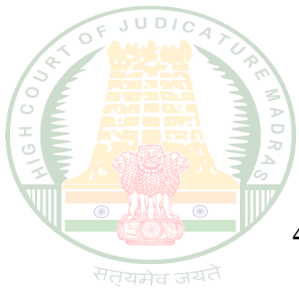
The petitioner apprehends arrest for the alleged offence **under Sections 406, 420 of IPC (316(2), 318 (4) of BNS 2023)** in **Crime No.62 of 2023** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the defacto complainant who was working a document writer near Adyar register officer. During the



year 2015, the petitioner induced the complainant to get office in Tamil Nadu Housing Board for which the petitioner has received a sum of Rs.3823000/- from the complainant. Thereafter she has not get any allotment order in favour of the complainant and not returned the money. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. It is the further contention of the learned counsel for the petitioner that the learned counsel for the petitioner submits that the petitioner is the sole accused and that the allegation against her is that she induced the defacto complainant to part with a sum of Rs.38 lakhs, purportedly for allotment of a get office in Tamil Nadu Housing Board. However, it is the further contention of the petitioner that she is only a real estate broker and that the defacto complainant is a document writer. According to the petitioner, the defacto complainant had invested certain amounts in a transaction and, due to disputes arising therefrom, the present complaint has been lodged only to wreak vengeance against her.. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The said contention is strongly opposed by the learned Government Advocate, who submits that unless the petitioner is taken into custody, recovery of the amount would be difficult. Accordingly, he opposed to grant anticipatory bail to the petitioner.

5. Though certain allegations are made against the petitioner, it is seen that the transaction took place in the year 2019, the complaint was given on 11.03.2022 and the FIR came to be registered only on 18.03.2023, after a considerable delay. In such circumstances, particularly considering the above facts and circumstances of the case, this Court is of the view that custodial interrogation is not necessary. Accordingly, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

6. 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 Metropolitan Magistrate No.IX, Saidapet, Chennai**, 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)



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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, everyday at 10.30 a.m., 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.

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jrs



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To

- 1.The Metropolitan Magistrate No.IX, Saidapet, Chennai.
- 2.The Inspector of Police, J-2 Adyar Police Station,
Chennai.
(Crime No. 62 of 2023)
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

jrs

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