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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31322 of 2026

CNR: {HCMA012498872026}

Elavarasi @ Pavithra
C/o.Tamilarasan,
No.28, Gangaiamman Kovil Street,
Bhakthavachalam Nagar,
Sriperumbathur, Kanchipuram.

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
C.C.B, Tambaram,
Crime No.11/2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS praying to enlarge the petitioner on bail in Connection with Crime No.11 of 2026, pending on the file of the respondent Police

For Petitioner(s): Mr.V.Moorthi

For Respondent(s): Mr.M.M.I.Khaleel
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on **11.09.2026** for the alleged offences punishable under **Sections 419, 420, 465, 468, 471 read with Section 120)B) of IPC** in Crime No. 11 of 2026 on the file of the respondent police, seeks regular bail.

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2.It is a case of a case of cheating by forgery, and according to the case of the prosecution, one Ganesan, who is the owner of the subject property, purchased the property by way of a registered sale deed, obtained a patta, and is in conscious possession of the same. In the year 2021, when he attempted to execute a settlement deed in favor of his son, he came across the present document, which is a forged one allegedly misrepresenting him. On enquiry, it was revealed that someone had impersonated him and executed a power of attorney in favor of this petitioner, whereby the subject property was subsequently sold to one Selvi by a sale deed dated 08.07.2016. It is further seen that this petitioner, being the power agent, received the sale consideration in his bank account. Being the power agent of an impersonator, he is well aware of the forgery and the true identity of the forger. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate with the investigation.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail.

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5. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

6. It is seen that the petitioner has filed an affidavit which was executed by her from prison, in which she has undertaken to cancel the forged sale deed. Though no transfer of title has taken effect under the forged sale deed, the forged power of attorney dated 01.04.2016 in favor of the petitioner, registered as Document No. 3504 of 2016, and the consequent sale deed dated 08.07.2016, registered as Document No. 7711 of 2016, are illegal and invalid in the eyes of law. Now, the petitioner has come forward to cancel the forged sale deed in her capacity as the power agent. Considering the facts and circumstances of the case and the period of incarceration undergone by the petitioner from **11.09.2026**, this Court is inclined to grant bail to the petitioner, subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties,** each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Chengalpattu,** and on further conditions that:

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[a] the sureties shall affix his 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 his identity;

(b) the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders;

[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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

(g) petitioner, within two weeks from the date of her release, shall execute the cancellation of the forged sale deed executed in favor of Selvi, thereby setting the records right. If any such cancellation deed is presented on behalf of the petitioner in her capacity as power agent, without requiring the presence of the previous purchaser named Selvi, the concerned Sub-Registrar (SRO) shall permit the presentation of the documents and complete the process of cancellation of the sale deed. In case the petitioner fails to

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execute the cancellation within two weeks from the date of her release, the bail order shall stand automatically cancelled without further reference to this Court

04.11.2026

SMA

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. Judicial Magistrate No.II, Chengalpattu.

2. The Inspector of Police
C.C.B, Tambaram,

3. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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