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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30525 of 2026

CNR: {HCMA012526232026}

Deepa

..Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police
V3, JJ Nagar Police Station,
Chennai.
Cr.No.562 of 2026.

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the petitioner on bail in the event of arrest of the Cr.No.562 of 2026 on the file of the Respondent, V3, JJ Nagar Police Station, Chennai.

For Petitioner(s): Mr.Ramachandran S

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 303(2) and 318(4) of BNS in Crime No.**562 of 2026** on the file of the respondent police seeks anticipatory bail.

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2. It is seen that there is a property dispute between the defacto complainant as well as A3, and both claim right and title in respect of the property, in which the A3 claims that it is Plot No.6 and the defacto complainant claims it is Plot No.5. This Court, by its order dated 23.10.2026 in the petition filed by the petitioner's husband in Crl.O.P.No.30718 of 2026, directed the police to take the assistance of the Surveyor of the local Taluk Office, visit and survey the subject property, and file a status report regarding the identification of the property as claimed by A3. Accordingly, a status report was filed and it was stated therein that due to scarcity of time, they could not conduct the survey. However, a writ petition preferred by the petitioner herein was filed, and pursuant to the order of this Court passed therein, a survey was already conducted and a report was filed. They have reproduced the said order, which is as follows:

Whereas, as per the report dated 27.10.2026 of the Tahsildar, the propery claimed by both the petitioner's wife Deepa and the defacto complainant Joseph are falls in Ward-H, Block-76, T.S.No.78. But in the Government computer register, the Adangal/owner column for T.S.No.78 is blank and it is classified as Government Poramboke.

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3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

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

6. Considering the nature of the allegations and the dispute between the parties in respect of immovable property and several litigations are pending between the parties and also the fact that A3, who is the husband of the petitioner, was granted bail vide order dated 29.10.2026 in Crl.O.P.No.30718 of 2026, this Court is of the firm view that custodial interrogation of the petitioner is not required. 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

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on which the order copy is made ready, before the **learned Judicial Magistrate, Ambattur** 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 slip (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 is 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];***

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(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA

To

1. The Judicial Magistrate
   Ambattur

2. The Inspector of Police
   V3, JJ Nagar Police Station,
   Chennai.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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