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Crl.O.P.No.35332 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.35332 of 2025

and CRL MP NOS.288 and 2040 of 2026

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... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
CCB- Avadi City,
Avadi, Chennai.
(Crime No.120 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent in Crime No.120
of 2025 on the file of the respondent police.

For Petitioner

: Mr. G. Pugazhenth

For Intervenor in Crl.M.P.No.288 of 2026 : Mr. K. Kathiresan

For Intervenor in Crl.M.P.No.2040 of 2026 : Mr. J. Joel Nitheesh

For Respondent

: M/s. J.R. Archana
Government Advocate (Crl.Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4) of BNS in Crime No.120 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner herein is that, the petitioner joined hands with her husband published an advertisement through online stating that their two residential flats bearing Nos.AF2 and BF2 situated at MM Thulir Apartment, No.7, Brindavan Nagar were available on lease; that thereby, the defacto complainant approached the petitioner and her husband, fixed the lease amount as Rs.12,00,000/- and also paid a sum of Rs.11,50,000/- to them on various dates; that thereafter, the accused neither handed over the possession of the leased premises nor return back the money to the defacto complainant and also gave evasive and vague reply; that thereafter a complaint was lodged before the respondent police and upon investigation, it is revealed that the petitioner and other accused by using the very same *modus operandi* cheated various persons to the tune of Rs.29.11 lakhs under the pretext of leasing out their premises. Hence, this case.



3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, since she is the wife of the A1 in this case; that the alleged amount was received only by A1 and the petitioner has no role in the aforesaid offence; that A1 in this case was already arrested; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned counsel for the intervenor appearing for the intervenor raised strong objection for granting of anticipatory bail to the petitioner by stating that the petitioner is the owner of the property and she has given the advertisement regarding lease of her property in online; that she had colluded with her husband and collected money from the defacto complainant under the pretext of leasing out her property; that so far no amount has been recovered in this case.

5. The learned counsel for the intervenor appearing on behalf of one A.S. Ranjith Kumar also raised strong objection for granting of anticipatory bail to the petitioner by stating that, A.S.Ranjith Kumar is also one of the victims, who had been cheated by the petitioner herein and her husband to the tune of Rs.14,00,000/-. He also stated that if the petitioner



is granted anticipatory bail, she will abscond and there is no possibility of recovery of money.

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6. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that there are totally w accused involved in this case and the petitioner herein is arrayed as A2; that the petitioner herein along with other accused had cheated to the tune of Rs.29.10 Lakhs from seven victims; and that the investigation of this case is pending and so far no money has been recovered.

7. Considering the submissions made on both sides, nature of offence, the fact that huge amount was involved in this case and so far no money has been recovered, the petitioner also played major role in advertising and collection of money and if the petitioner is granted anticipatory bail, there is no possibility of recovering the money, hence this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this criminal original petition stands dismissed. Consequently, connected criminal miscellaneous petitions stand ordered.



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To

1. The Inspector of Police,
CCB- Avadi City,
Avadi, Chennai.
(Crime No.120 of 2025)
2. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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**CRL OP NO.35332 of 2025
and CRL MP NO.288 of 2026**

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