

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Wednesday, the 11th day of March , 2026

CrI.M.P.No:953/2026

N. Rahimunisha @ Monisha, W/o Narayanasamy

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Avadi Police station
(Crime No: 49/2026)

.....Respondent/Complainant

Petition dated: 02.03.2026 u/s 483 of BNSS praying to enlarge the petitioner on bail

This petition coming on this day for hearing before me having the petition filed by the petitioner Counsel M/s S. Anbarasan, S. Sivakumar, B. Rajparthiban, and the respondent police through the Public Prosecutor, and M/s L. Leo Velan , Alociyas Ben Aliver, S. Kishore, Achudhan, R. Rusty Paul, counsel for the intervener/defacto complainant and upon hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 483 of BNSS seeking to release the petitioner on bail who was remanded on 02.02.2026 in Crime No.49/2026 on the file of Avadi police station registered for the offence u/s 316(2), 318(4) of BNS. The Bail petition u/s 480 of BNSS was dismissed by the Judicial Magistrate No.II, Poonamallee in CMP No. 339/2026 dated 23.02.2026,

The learned counsel for the petitioner argued that, petitioner is an innocent student falsely implicated in this case. There is no specific overtact as against the petitioner Even the petitioner were not at all present at the time of execution of the sale deed and defacto complainant had without any iota of truth has falsely implicated the petitioners in this case. Only since she is the wife of one of the co-accused she has been falsely implicated in this case without proper enquiry. The petitioner has no bad antecedents, she is in custody for 38 days, he is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that the defacto complainant is the owner of the land in S.No.170/9 of 2752 sq. ft. in Sekkadu Village along with house therein. Since he is in need of money for his daughter's marriage, he mortgaged the property for Rs.5 lakhs with accused Rajesh and on 05.05.2025, he executed power deed for which he received Rs.1,45,000/-. While so on 24.06.2025, at 3.00 PM, the accused came to the house and took the defacto complainant to Sub Registrar Office and under the guise of discharging the mortgage and giving the balance amount, and when he went to the registration offence, since the defacto complainant was in drunken state, they obtained signature as if, the defacto complainant was settled with Rs.35,00,000/- and executed the sale deed on 24.06.2025, thereafter, they did not give any amount and when he verified the certified copy of the document found that the accused persons in order deceive the property executed the sale deed cheating the defacto complainant and swindled his property thus based on which, FIR was registered , petitioner was arrested on 02. 02.2026 , similar complaints are pending as against the petitioner, and the investigation is pending

The learned counsel for the intervener submitted that there are similar victims at the hands of the accused and all the accused have colluded and deceived the property of the defacto complainant,

The he petitioners state in this petition /affidavit that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, investigation is still pending and the alleged offence is serious in nature. Moreover, similar complaints are also pending as against the petitioner and other accused persons.

Therefore, on considering

- (i) grave nature of offence
 - (ii) investigation is still pending
 - (iii) serious accusation of offence as against the petitioner u/s 318(4) of BNS
 - (iv) value of the amount and the property allegedly involved,
 - (v) that the representation of the learned Public Prosecutor that since the petitioners also allegedly involved in other similar cases, , if he is released and then absconds, investigation in all the complaint against him would also be affected,
 - (v) and also considering other facts and circumstances,
- this Court is not inclined to grant bail to the petitioner.

In the result, this petition is dismissed.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 11th day of March , 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s S. Anbarasan
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.II, Poonamallee
The Inspector of police, Avadi Police station
The Superintendent, Special Prison for Women, puzhal, Chennai
The intervener's Advocate M/s L. Leo Velan