

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

Present: Tmt. C. UMAMAHESHWARI, M.L.,
Principal District and Sessions Judge, Tiruvallur (i/c)

Monday, the 16th day of March , 2026

CrI.M.P.No:994/2026

Alphonesraj, S/o Ponnusamy

...Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
CCB, Avadi Police station
(Crime No:116/2025)

.....Respondent/Complainant

Petition dated: 09.03.2026 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 petitioners Counsel M/s A. Arumugam, S. Karthick, P. Ramesh, the respondent police through the Public Prosecutor, 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 who was remanded on 30.01.2026 in Crime No.116/2025 on the file of CCB, Avadi police station registered for the offence u/s 420, 465, 468, 471 IPC. The Bail petition u/s 480 of BNSS was dismissed by the Judicial Magistrate No.II, Tiruvallur in CMP No. 1115/2026 dated 06.03.2026.

The learned counsel for the petitioner argued that, petitioner is innocent and he is no way connected, he is also one of the legal heir an without his knowledge and his consent, his signature was impersonated and he does not know the forgery committed by the other accused, the respondent police without proper enquiry implicated the petitioner in this case, while the property is worth of Rs.38 lakhs, the petitioner received only Rs.2,50,000/-, he has claimed only his legitimate right, he is not aware or even seen the forged document of legal heir certificate, he is one of the legal heir, all the offences are triable by Judicial Magistrate, the petitioner is in judicial custody for the past 46 days, petitioner 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 on the defacto complainant lodged the complaint that the defacto complainant's husband purchased the property in S.No.465/1A of 2100 sq. ft. plot under Document No.3890/1988 and was in possession, after the death of her husband on 26.05.1999, he left totally 7 legal heirs, while so her 5th son Alphonesraj, the petitioner herein by obtaining forged death certificate and legal heir certificate as if he is the only legal heirs of defacto complainant's husband, and executed a power deed dt. 21.09.2020 under Doc.No.7835/2020 who in turn sold the same to Murugesan under Doc.No.3341/2021 dated 05.03.2021, who in turn sold the same to Umapathy under Doc.NO.12019/2023, thus, the petitioner along with other accused have created forged documents, thereby deceived the property of the defacto complainant, thus based on the complaint, FIR was registered u/s 420, 465, 468, 471 IPC , petitioner was arrested on 30.01.2026, and the investigation is pending.

The petitioner states in this petition 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 in preliminary stage and the alleged offence is serious in nature.

Therefore, on considering

- (i) grave nature of offence
 - (ii) investigation is still pending
 - (iii) serious accusation of offence as against the petitioners u/s 468 of IPC
 - (iv) huge value of the property allegedly involved ,
 - (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 16th day of March, 2026

Sd./- C. Umamaheshwari
Principal District and Sessions Judge,
Tiruvallur(i/c)

//t.c.f.b.o.//

Sherishtadar

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The Petitioner's Advocate M/s A. Arumugam,
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.I, Poonamallee
The Inspector of police, CCB, Avadi police Station
The Superintendent, Central Prison-II, Puzhal, Chennai