

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Eighth day of November Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.28988 of 2019

SARAVANAN @ VIMALAN

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
CCB, (FORGERY WING),  
TEAM - V, VEPERY,  
CHENNAI-600 007.  
CR.NO.215 OF 2015.

[ RESPONDENT ]

For Petitioner : M/S.K.SARATHKUMAR Advocate

For Respondent : M/S.KRITIKA KAMAL P. Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 466, 467, 468, 471 r/w.34 IPC in Crime No.215 of 2015, seeks anticipatory bail.

2. This is the second anticipatory bail application. First anticipatory bail application in CrI.O.P.No.7224 of 2017 has been dismissed by this Court by a detailed order on 07.09.2017.

3. The learned counsel for the petitioner submitted that the co-accused Ramu has been arrested and a reading of his confession statement will show that the petitioner was used as a pawn by some unknown land sharks.

4. This Court perused the case diary and also the confession of the said Ramu.

5.It is the case of the prosecution that the property in question measuring around 4000 sq.ft in Madipakkam, a prime locality in Chennai, was owned by one Chitramani. Some land sharks wanted to grab the land. Therefore, they had conspired, pursuant to which Ramu projected himself as a Zamindar and owner of the said land. The

petitioner Saravanan @ Vimalan acted as Ramu's son. Both of them went to the Sub-Registrar's Office and Ramu executed a Settlement Deed dated 01.07.2013, bearing Document No.4100/2013, settling the said property in the name of Vimalan. Thereafter, Vimalan executed a sale deed dated 14.07.2014 bearing Document No.4760 of 2014 in favour of one Vivekanandan. Vivekanandan obtained a loan of Rs.1,65,00,000/- from HDFC Bank and that money was given to Vimalan. After purchase, when Vivekanandan wanted to construct a house, he was shocked to find that one Chitramani was claiming ownership of the said land. The said Chitramani gave a police complaint, based on which a case in Crime No.215 of 2015 was registered against Ramu, Vimalan and Vivekanandan. During the course of investigation in Crime No.215 of 2015, the police came to know that Vivekanandan himself was cheated by Ramu and Vimalan. Therefore, on the complaint of Vivekanandan, another case in Crime No.505 of 2015 has been registered against Ramu and Vimalan. The investigation is in progress.

6. A reading of the police confession of Ramu does not in any way enhance the case of the petitioner for grant of anticipatory bail. Custodial interrogation of Vimalan is necessary to recover the huge sale consideration of Rs.1,65,00,000/-, which has to be returned to the bank.

In view of the above, this Court is of the view that there is no change in fact situation for granting anticipatory bail to the petitioner and this petition is dismissed.

-sd/-

08/11/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,  
CCB, (FORGERY WING),  
TEAM - V, VEPERY,  
CHENNAI-600 007.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.K.SARATHKUMAR Advocate on payment of necessary charges SR.NO.22956

CRL OP.28988/2019

Date :08/11/2019