

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2020

CORAM:

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.16930 of 2020

Khalid Ahmed Niyazi

.. Petitioner/accused
(rank not known)

Vs.

1.Inspector of Police,
Anti-Land Grabbing Special Cell,
Kancheepuram District.

2.Deputy Superintendent of Police,
Collectorate Compound,
Kancheepuram 631 501.

.. Respondents/Complainants

PRAYER: This Criminal Original Petition has been filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail, in the event of arrest by the respondent in Crime No.not known of 2020 on the file of the 1st respondent police.

For Petitioner : Ms.K.Nithyashree

For Respondents : Ms.T.P.Savitha, G.A.

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 463, 464 and 120B of IPC in Crime No.not known of 2020 on the file of the respondent police, based on the complaint given by one K.Ramamoorthy, seeks anticipatory bail.

2. The content of the complaint is that the defacto complainant purchased the property in the year 1983 as vacant site. In the year 2020, when he tried to sell the property and applied for Encumbrance Certificate, he found that the documents were created as if he has sold the property through the Power Agent viz., Amir Kamsa and a forged Power of Attorney Deed No.682 of 2005 has been registered to facilitate the fraudulent transaction. Khalid Ahamed Niyazi has purchased the property in the year 2006 from one Amir Kamsa and in the year 2013, he has sold the property to one Prasanna. After seven years of this transaction, he has been called by the police for inquiry based on the complaint given by the said Ramamoorthy.

3.The learned Government Advocate appearing for the respondents police states that in response to the summon, the petitioner herein appeared before the respondent police on 19.10.2020 and for further enquiry and to produce the documents in their possession, they have been asked to appear before the Investigating Officer on 27.10.2020.

4.In the light of the above facts, it is suffice to direct the respondents police to conduct enquiry in accordance with law and the petitioner herein shall participate in the enquiry and produce whatever documents in their possession. No coercive measure shall be taken. If there is sufficient material to take action for any cognizable offence against the petitioner, appropriate action be taken.

5.With the above direction, this Criminal Original Petition is disposed of.

-sd/-

23/10/2020

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 JUDICIAL MAGISTRATE,
NO.I, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ANTI-LAND GRABBING SPECIAL CELL,
KANCHEEPURAM DISTRICT.

5 THE DEPUTY SUPERINTENDENT OF POLICE,
COLLECTORATE COMPOUND,
KANCHEEPURAM-631501.

+2CC to M/S. G.S.VIVEKMANI Advocate on payment of necessary charges
SR.No.7066

CRL OP.16930/2020

Date :23/10/2020