



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15180 of 2021

1 NANCY
2 UMMAIAMMAL

[PETITIONERS / ACCUSED]

Vs

THE UNION TERRITORY OF PUDUCHERRY REP BY, [RESPONDENT]
THE INSPECTOR OF POLICE,
CBCID POLICE STATION,
ORLEANPET,
PUDUCHERRY.

For Petitioner : M/S. V.S.SENTHILKUMAR Advocate

For Respondent : MR.BHARATHA CHAKKARAVARTHY, Public Prosecutor,
Pondicherry

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 471, 468, 120(B) r/w 34 IPC, in Crime No.18 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the property belongs to one Alavandar Nayakar Charity/Trust, under the control of Hindu Religious and Charitable Endowments Department, Government of Tamil Nadu. Further, Originally the property belongs to one Alavandar Naicker executed a Will to Muthukrishnan Naicker. Thereafter, the said Alavandar Naicker died 09.08.1914. Further, A-12 claimed that on 13.11.1995, the said Muthukrishnan Naicker executed a Will bearing Registration Document No.134/1995 at Sub Registrar's office T.Nagar,



Chennai. Thereafter, the said Muthukrishnan Naicker died 21.03.1997. Based upon the said Will, A-12 K.M.Samy had executed a General Power of Attorney to A-3 Seetharaman vide Document No.1049/2006 dated 21.05.2006. Thereafter, the said A3 executed a sale agreement to one Kumaran (A6). Further, the said A3 Seetharaman executed unregistered sale agreement with the mother-in-law of the defacto complainant. The petitioners along with his family members had received a sum of Rs.1,63,00,000/- from the defacto complainant and created a bogus document in order to grab the property belonging to one Allavandar Naickar and cheated the defacto complainant. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the petitioners along with other accused are the close relatives of the defacto complainant. He would further submit that the property belongs to one Alavandar Charity Mahabalipuram and Arulmighu Kandasamy Murugan Temple, Tiruporur. He would further submit that the petitioners along with his family members have created a bogus Will and cheated the defacto complainant. He would further submit that the investigation is still pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervenor would submit that the petitioners had received a sum of Rs.1,63,00,000/- from the defacto complainant and cheated him. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

6. Considering the fact that investigation is still pending and enlarging the petitioner on anticipatory bail at this point of time would be detrimental to the investigation and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, these Criminal Original Petitions are dismissed.

-sd/-

31/08/2021

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.



1 THE PUBLIC PROSECUTOR
PUDUCHERRY.

2 THE UNION TERRITORY OF PUDUCHERRY,
THE INSPECTOR OF POLICE,
CBCID POLICE STATION,
ORLEANPET, PUDUCHERRY.

CC to M/S. V.S.SENTHILKUMAR Advocate on payment of necessary
charges

CRL OP.15180/2021

Date :31/08/2021

RW 16/09/2021