

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	Pronounced on
30.06.2021, 05.07.2021 & 06.07.2021	09.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL. O.P. NOS.10271, 10645, 11421 & 11574 OF 2021

1. K.Narmatha
2. R.Varatharajan .. Petitioners in Crl. OP No.10271/2021

M.Radhakrishnan .. Petitioner in Crl. OP No.10645/2021

Vijayakumar @ Choppa Vijayakumar .. Petitioner in Crl. OP No.11421/2021

P.Hanumantha Rao .. Petitioner in Crl. OP No.11574/2021

- Vs -

State, rep. By
The Inspector of Police
DCB, Kancheepuram .. Respondent in all the petitions

Criminal Original Petitions filed u/s 438 Cr.P.C. praying this Court to enlarge the petitioners on bail in the event of their arrest in Crime No.12 of 2021 on the file of the respondent police.

For Petitioners : Mr. N.R.Elango, SC, for
M/s. Aruna Elango in Crl. O.P. No.10271/21
Mr. M.Karthik in Crl. O.P. No.10645/21
Mr. K.Balu in Crl. O.P. No.11421/21
Mr. T.Gowthaman in Crl. O.P. No.11574/21

For Respondent : Mr. C.E.Pratap, GA (Crl. Side)

COMMON ORDER

The petitioners in Crl. O.P. No.10271/21 who are sought to be arrayed as accused in the alteration report filed by the respondent in Crime No.12 of 2021 for the offence u/s 120 (B), 465, 468, 471, 477 (A), 420 r/w 34 IPC, seek anticipatory bail.

2. While the petitioner in Crl. O.P. No.10645/21, who has been arrayed as A-3 in the aforesaid crime number, the petitioner in Crl. O.P. No.11421/21 is sought to be arrayed as accused in the aforesaid crime number and they have filed the respective petitions seeking anticipatory bail. Crl. O.P. No.11574/21 is also filed for anticipatory bail by the petitioner, who is implicated in the crime, but even according to the petitioner, his rank as an accused is not known.

3. Though the petitions were heard on three different dates, as all the four petitions relate to one and the same crime and revolves around the same transaction, where the petitioners have been implicated and as the facts are interconnected, they are disposed of by this common order. For the sake of convenience, the accused, as mentioned in the FIR and in the alteration report and also the other persons, who have been implicated in the crime, will be referred to either by the rank as accused assigned to them or by their name/designation, as no rank is assigned to them either by the law enforcing agency or the Court, as shown hereunder :-

S. No.	Name of the Accused	Array of Accused/ Name/Designation in which they will be referred
1	Ashish Jain @ Ashish Mehta	A-1
2	Shanmugam	A-2
3	Radhakrishnan	A-3
4	Selvam	Selvam
5	Vijayakumar	Vijayakumar
6	Narmada	DRO (NHAI-LA)
7	Thenmozhi	Special Tahsildar (NHAI -LA)
8	Varatharajan	Retd. Surveyor
9	Hanumantha Rao	Hanumantha Rao

4. Before advertng to the prosecution case, the way in which the lands have changed hands could be stated briefly for a better understanding of the case. A-1 had entered into an agreement in the year 2000 with the vendor Venugopal and purchased the lands through registered sale deed in the year 2004 for which he had obtained settlement patta even in the year 2000. Thereafter, A-1 had executed a power of attorney in favour of Vijayakumar. Acquisition proceedings were notified in the year 2016 and the power of attorney, Vijayakumar, sold a portion of land to Hanumantha Rao in the year 2018 for an extent of about 970 sq.mtrs. Thereafter, Hanumantha Rao executed a power of attorney in favour of Selvam in the year 2018 and in the very same year, Selvam purchased the property from Hanumantha Rao. Thereafter, during July, 2018 or thereabouts, compensation was paid for the lands by the DRO (NHAI-LA), which was received by A-1 and Selvam.

5. It is the case of the prosecution that in the proceedings relating to acquisition of lands for the Chennai Bangalore National Highway, based on a forged document, A-1, in connivance with A-2 and A-3, who were the Assistant

Settlement Officer and Tahsildar, had obtained settlement patta and patta as Punjai Anadheenam for the lands, which were Meikal Anadheenam lands, and using the said patta and the forged documents, A-1 had received compensation in a sum exceeding Rs.30 Crores for the said lands, which were acquired and that the petitioners herein, who were the DRO (NHAI-LA) and Retired Surveyor along with the Special Tahsildar (Land Acquisition), without properly verifying the documents and the title of A-1 to the said lands and the genuineness of the documents placed before them, connived with A-1 and settled the sum exceeding Rs.30 Crores to A-1 and, thereby, caused heavy loss to the exchequer. On the complaint of the present Tahsildar/defacto complainant, the complaint was lodged, which was taken on file and registered, leading to investigation by the law enforcing agency.

6. Learned senior counsel appearing for the petitioners in Crl. O.P. No.10271/21 submitted that the alteration report is nothing but misuse of power by the respondent to rope in the petitioners, who have not done anything wrong. It is the submission of the learned senior counsel that the petitioners have merely followed the procedure as contemplated under Section 3 of the National

Highways Authority of India Act while computing and paying the compensation to the persons, whose lands were acquired by due process of law. It is the further submission of the learned senior counsel that the duty of the 1st petitioner is to verify the documents placed before her and only to ascertain the title of the party to the said document and in the present case, not only A-1 had title to the property through the document he submitted, but had even the patta, which was issued to him on the basis of the directions issued by this Court and if at all malpractice had been committed, it is only in the issuance of patta, as it is only in the said phase, the concerned authorities issuing patta are supposed to peruse all the documents, including the title deeds, ascertain the genuineness and veracity of the said documents and, thereafter, issue the patta. In the present case, the authorities, viz., A-2 and A-3 have perused the documents and have issued the patta and based on the said documents and patta, the 1st petitioner had merely computed the compensation and paid the same to A-1 and for doing her lawful act, she cannot be attributed with any mala fide. In this regard, learned senior counsel referred to the relevant provisions u/s 3 of the National Highways Act to drive home the point with regard to the nature and duty of the 1st petitioner.

7. Insofar as the 2nd petitioner is concerned, it is the submission of the learned senior counsel that the 2nd petitioner is only a retired surveyor, who is entrusted with the task of surveying the property and ascertaining the extent and proper identification of the property and is not in any way connected with the verification of the documents or payment of compensation. However, strangely, the 2nd petitioner, who has no other role to play other than ascertaining the extent and identification of the property has been added as an accused, for reasons best known to the prosecution. The 2nd petitioner has in no way committed any offence, as alleged by the prosecution. Accordingly, he prays that this Court may grant anticipatory bail to the petitioners, who are law abiding citizens even by imposing stringent conditions.

8. Learned counsel appearing for the petitioner in Crl. O.P. No.10645/21, who is arrayed as A-3 even in the FIR submitted that the petitioner had acted purely on the basis of the records, which revealed that the lands are grazing lands and further on the basis of the orders of this Court in W.P. No.28923/04 and also on the basis of the settlement patta, after verifying the records, the petitioner had issued the patta in favour of A-1. The petitioner, neither acted with mala fide

intention nor colluded with A-1 as he does not know A-1. In fact, the petitioners in Crl. O.P. No.10271/21 had also, verifying the records, like the petitioner, had granted the compensation to A-1, which clearly shows that the petitioners herein had acted in a legal manner in consonance with the rule of law. But without appreciating the same, the petitioners have been implicated in the present crime. Therefore, the petitioner prays for grant of anticipatory bail as non-grant of anticipatory bail would cause serious hardship and prejudice to the petitioner.

9. Learned counsel appearing for the petitioner in Crl. O.P. No.11421/21 submits that the name of the petitioner was not found in the FIR and it has only been added based on the confession of A-1. It is the further submission of the learned counsel that the petitioner is not a beneficiary of any of the amount received from the Highways Authorities as compensation for the lands and that he had acted only as a power of attorney agent for A-1 and that he has no knowledge about the commission of any offence and he has been falsely implicated in this case.

10. Learned counsel appearing for the petitioner in Crl. O.P. No.11574/21 submits that the petitioner is a mere purchaser of a property from A-1 through his power agent, Vijayakumar and, thereafter, the petitioner had executed a registered power of attorney in favour of one Selvam, who at a later point of time, informed his interest in purchasing the said property and, therefore, the said property was sold by the petitioner to the said Selvam. It is the submission of the learned counsel for the petitioner that patta, which is alleged to have been obtained through illegal means by A-1 and Selvam, which was utilised for the purpose of obtaining the compensation. However, the petitioner in no way colluded with A-1 and Selvam in receiving any part of the compensation and, therefore, without there being any nexus shown to the petitioner in the receipt of compensation and there being no conspiracy alleged and the role played by the petitioner in the said conspiracy, the implication of the petitioner in the offence, is wholly unsustainable. It is the further stand of the petitioner that he is aged about 70 years and terminally ill and is suffering from cancer, which has spread to his spine and is bed ridden. The petitioner is no way connected with the fraud committed by A-1 and his power agent, Vijayakumar -5 and Selvam in

receiving compensation and, therefore, this Court, considering the plight of the petitioner, may grant anticipatory bail.

11. Per contra, learned Government Advocate (Crl. Side) appearing for the respondent referred to the counter filed by the respondent in both the petitions and submitted that A-1 clearly conspired with A-2 to have the records corrected to show that the lands were grazing lands, though in actuality, the lands were Anadheenam lands, which would be evident from the forged proceedings issued by A-2, and A-3 without verifying the same had issued patta and is trying to absolve himself by saying that he had issued the patta merely on the strength of the order passed by this Court. It is the submission of the learned Government Advocate that the order of this Court in W.P. No.28923/04 in no way directed A-3 to issue patta, but only direction was given to consider the representation in accordance with law and pass orders. A-3, conniving with A-1 and A-2, without verifying the records and ascertaining the status of the lands from the SLR Register, 1987 UDR Register and 'A' Register, had issued the patta.

12. It is the further submission of the learned Government Advocate that equally the petitioners in Crl. O.P. No.10271/21, without looking into the records relating to the patta granted in favour of the petitioner, granted compensation to A-1 to the tune of about Rs.30 Crores. It is the further submission of the learned Government Advocate that Vijayakumar, who had acted as power of attorney, was mainly for the purpose of circumventing the act of falsity by selling some portion of the lands so as to mislead the acquisition proceedings and for reasons best known, the said Vijayakumar was implicated in the offence by A-1 and, therefore, he cannot try to wriggle out of the same by claiming that he was not aware of the illegal act being perpetrated by A-1. It is the further submission of the learned Government Advocate that the collusion with the petitioner in Crl. O.P. No.11574/21 could only be found out after full fledged investigation by the respondent and merely because the said petitioner is suffering certain medical ailment cannot be a ground to grant anticipatory bail, more so, when the offence alleged is of enormous proportion, by which around Rs.33.5 Crores of the public money has been siphoned off.

13. It is submitted by the learned Government Advocate that investigation is being conducted by the respondent and in view of the quantum of compensation involved and the status of the parties, more so in the light of the position of A-1 who was influential enough to create forged documents and obtain proceedings for mutation of revenue records, though not genuine, enlarging the petitioners on anticipatory bail would be detrimental to the investigation, as there is all likelihood of the petitioners interfering with the investigative process and influencing the witnesses and also destruction of documents and, therefore, prayed for dismissal of both the petitions.

14. This Court gave its anxious consideration to the submissions advanced by the learned counsel appearing on either side and also perused the materials available on record. To have a better understanding of the issue and for better analysis, this Court directed the learned Government Advocate (Crl. Side) to produce the original records and as undertaken, the Learned Government Advocate (Crl. Side) also produced the copies of the original records for the perusal of this Court. This Court permitted the learned senior counsel to peruse the original records to which the learned senior counsel fairly submitted that

since the matter is under investigation, he is desisting from perusing the records and it would suffice if this Court, after perusing the records, pass the orders in the present petitions.

15. The issue revolves around a narrow campus. While A-1 claimed title to the property by purchase from one Venugopal Rao, however, one Navakodi Narayanan claimed title to the property purchased by this father through three sale deeds. The falsity in the claim of A-1 and the impossibility to grant the relief to Navakodi Narayanan is spoken through the order passed by Principal Secretary/Commissioner of Land Administration, who has also recommended action against the erring officials. The contention of the respondent is that the land to which title is claimed by the above parties, is Meikal Anadheenam lands, which vests with the Government and, therefore, neither A-1 nor Navakodi Narayanan could claim title to the said property. Though Navakodi Narayanan has staked claim based on the sale deeds of the year 1936, however, in view of the enactment of Tamil Nadu Estate (Abolition & Conversion into Ryotwari) Act, the said Navakodi Narayanan having not acted within the time prescribed under the Act for claiming title to the lands, no patta could be granted and his title was

not gone into. Further, it is the stand of the respondent that by way of forged document created by A-1 with the aid of A-2 and A-3, the lands were said to have been purchased by A-1 in the year 2004 and of the purchase of 7.5 acres, 2.5 acres were acquired from A-1 for the purpose of Chennai-Bangalore Express Highway by paying Rs.30 Crores.

16. The case of the respondent is that the above purchase transaction made by A-1 is not only on the basis of a forged document but also on the basis of a forged mutated records said to have been issued by the then Assistant Settlement Officer, Tiruvannamalai, who is arrayed as A-1 and based on the said mutated document, A-1 had filed W.P. No.28923/04 and obtained a direction to the Tahsildar for consideration of his representation for grant of patta, which resulted in A-3 issuing patta to A-1. It is the prosecution case that A-1 to A-3 colluded in creating false and forged documents for the purpose of enriching themselves by way of giving the lands in acquisition and A-1 received a sum of Rupees Thirty Crores and the said sum had been paid on the strength of false records and the petitioners, without satisfying themselves as to the genuineness

of the said documents have shelled more than Rs.30 Crores to A-1 and had acted in connivance with A-1 to A-3.

17. Insofar as the petitioner/A-3 in Crl. O.P. No.10645/21 is concerned, this Court can very well straight away dismiss the petition seeking anticipatory bail on the short ground that a *prima facie* case appears on the face of the record against the petitioner, who is arrayed as A-3 in the FIR. Though it is the stand of the petitioner/A-3 that based on the settlement patta purportedly issued by A-2 in Mu.Mu.1055/2000 dated 26.7.2000 and also on the basis of the order of this Court in W.P. No.28923/04, A-3 had granted the patta to A-1, however, it is to be pointed out that the order passed by Court in W.P. No.28923/04 was only to the effect that the representation for grant of patta be considered by A-3, who was the respondent in the said petition, on merits and in accordance with law. There was no blanket direction issued by this Court to grant patta to A-1. In such a scenario, it was minimum expected of A-3 to verify all the records and satisfy himself as to the genuineness of the transaction, viz., the purchase made by A-1 and also the settlement Patta in Mu.Mu.1055/2000 dated 26.7.2000. It is borne out by records that the above said proceedings in Mu.Mu.1055/2000 is a forged

document, as the proceedings of the Principal Secretary/Commissioner of Land Administration (FAC), Chepauk, stands witness to the same. According to the findings rendered by the said authority, as per the stand of the Director of Survey and Settlement, the classification of the land, to which A-1 claims title is Maikal Anadheenam, as reflected in the revenue records, but A-2 had changed the classification from grazing grounds to ryot. A-3, merely on the strength of the proceedings of A-2, without following the due process of law, which is the order of this Court, for reasons best known to him, has granted the patta in favour of A-1. Therefore, A-3 now cannot claim immunity that he had issued the patta only on the basis of the proceedings of A-2, when it is the direction of this Court that A-3 shall proceed to consider the representation of the petitioner and pass orders in accordance with law.

18. The sum and substance of the said direction is that A-3 has to verify the genuineness of the document submitted by A-1 and also verify the revenue records and other connected records and, thereafter, pass orders on the same. Failure of A-3 in not adhering to the direction of this Court and issuing the patta in favour of A-1 is writ large and, this Court, in the back drop of the quantum of

money involved in the said acquisition, which has been paid to A-1, is of the considered view that investigation being underway, there being *prima facie* material against A-3, the prayer of A-3 for anticipatory bail, cannot be entertained.

19. Further, it is to be pointed out that even as per the stand of A-1, only alleged agreement was entered into between A-1 and his vendors in the year 2000 pursuant to which application was filed before A-2 for grant of patta in his name, which has been acceded to by A-2, though in actuality, the alleged sale is said to have taken place only in the year 2004. This Court is at a loss to understand as to how A-2 could have entertained change of patta in the name of A-1 when no sale has gone through between A-1 and his vendors at the relevant point of time.

20. Insofar as the petitioner in Crl. O.P. No.11421/21 is concerned, it transpires from the material that the said petitioner was the power of attorney agent of A-1, who had, in turn, using the said power of attorney, executed two different sale deeds one in favour of one Selvam, who was the recipient of of

Rs.3.3 Crores and another sale deed in favour of one Hanumantha Rao. It is to be pointed out that notification for acquisition of lands was published way back in the year 2016 and the sale deeds were entered into with the aforesaid two individuals in the year 2018. For reasons best known, small portion which was covered in the said survey was sold to the aforesaid two individuals. The petitioner now cannot come before this Court and claim that he was not aware of the notification relating to acquisition. Vijayakumar had been in association with A-1 for quite a long time and he had been his power of attorney agent. The power of attorney was cancelled only two months prior to the payment of compensation made by DRO (NHAI-LA) in favour of A-1. Though it is the stand of A-1 that he no longer required the power of attorney, as he had time at his disposal to see to his works, however, the said stand of A-1 could only be evident after full fledged investigation. In the present scenario, enlarging the petitioner on anticipatory bail would cause grave hardship and prejudice to the investigative process.

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21. Insofar as the petitioners in Crl. O.P. No.10271/21 is concerned, who have been implicated as accused in the alteration report, viz., the DRO (NHAI-LA)

and Retired Surveyor, it is their claim that only based on the documents placed before them by A-1 as also the other persons, whose lands were acquired, after verification and satisfying themselves of the said documents and the title of the persons to the lands, they have released the compensation amount to A-1 and Selvam after satisfying themselves that the lands being acquired stand in the name of A-1 and Selvam.

22. However, the material that stares writ large on the face of the petitioners is the fact that the the compensation quantified for payment out to A-1 is to the tune of about Rs.30.09 Crores and that for Selvam to the tune of Rs.3.3 Crores. The high quantum of amount definitely warrants A-6 to give an in-depth study of the documents placed before the DRO (NHAI-LA) before approving the said transaction and ordering payment of compensation. It is the duty of DRO (NHAI-LA), as the Special Land Acquisition Officer, appointed for the purpose of land acquisition to go through all the materials and to satisfy that the said documents are genuine. However, no material whatsoever is placed before this Court to show as to how satisfaction was arrived at by the DRO (NHAI-LA). Based

on the records produced by A-1, it seems the 1st petitioner has skimmed through the same and approved the payment of compensation.

23. The petitioner is the DRO (NHAI – LA), who is supposed to verify the documents submitted by A-1 along with the original records maintained by the official authorities. Though it is not necessary for the DRO (NHAI-LA) to conduct a roving enquiry, but nevertheless, when the acquisition involves expending of a large volume of public money, prudence warrants the DRO (NHAI-LA) to browse through the revenue records, including the 'A' Register, SLR Register, etc., to satisfy that the title to the said lands vests with the party to whom compensation is to be paid. The procedures for land acquisition and payment of compensation are mandated under Section 3 of the National Highways Act. However, without title to the property, compensation has been paid to A-1 by the DRO (NHAI-LA). It is the allegation against the DRO (NHAI-LA) that the title of A-1 to the property has not been properly verified by the DRO (NHAI-LA) as the documents in the custody of the respondent, more especially the 'A' Register and the SLR Register reveal that the lands have been classified as “Meikal Anadheenam”. However, it is not clear as to the basis on which A-2 had approved reclassification of the land

as “Ryotwari Anadheenam” when the limitation stood extinguished in view of the amendment made in the G.O. Ms. No.714, Commercial Taxes & Religious Endowments Dept., dated 29.6.1987 which barred conversion on and after 20.9.1987, the cut off date fixed for the purpose of reclassification. The reclassification has been ordered by A-2 on the basis of Act 26 of 1948 on 26.7.2000. Further, settlement patta is granted by A-2, however, according to the proceedings of the Principal Secretary/Commissioner of Land Administration, the said proceedings is a forged proceedings and, therefore, the patta, which is an off-shoot of the forged proceedings, cannot be sustained in the eye of law.

24. Insofar as the 2nd petitioner in Crl. O.P. No.10271/21 is concerned, he is the Retd. Surveyor, who had surveyed the lands, which were sought to be acquired under the acquisition proceedings for the Chennai-Bangalore Express Highway. It is the contention on behalf of the 2nd petitioner that his task only relates to identifying and measuring the lands and not in any way connected with the classification or compensation to be given to the said lands. The 2nd petitioner had merely surveyed the lands and has given his report and, therefore, fastening any criminal liability on him is wholly unsustainable.

25. True it is that the 2nd petitioner in Crl. O.P. No.10271/21 is a retired surveyor, who, according to the petitioner himself, was utilised for the purpose of surveying the lands. However, the allegation made by the respondent is that the need for insisting upon a retired surveyor to survey the lands has not been spelt out when it is the case that surveyors are very much available in the revenue department for carrying out these tasks. It is the allegation of the respondent that only for playing a clandestine fraud on the exchequer, the services of A-8 has been utilised. This Court, in the present context, is not inclined to express any one opinion or other on the implication of the petitioner in the offence. But a larger picture would emerge only on proper investigation when it can be found out as to the complicity of the Retd. Surveyor in the offence, if any. There is apprehension on the part of the respondent that enlarging the petitioners on bail would cause detriment to the investigation, as they enjoy clout within their erstwhile department and they may indulge in certain acts, which would be prejudicial to the investigation. This Court is not entering into the said realm as well for the reason that expressing any opinion at this point of time would act in detriment to the parties to the *lis* either way. But, as pointed out by the

respondent, at this point of time, it would not be prudent for this Court to entertain the petition of the petitioners in Crl. O.P. No.10271/21 for grant of anticipatory bail as investigation is still underway to find out the exact complicity of the petitioners in the crime. The proportion of loss caused to the exchequer is to be borne in mind and money play and influencing of persons in that scenario cannot be ruled out.

26. Insofar as the petitioner in Crl. O.P. No.11574/21 is concerned, the documents, which have been filed, reveal that the petitioner is a purchaser of a portion of land from A-1 through his power of attorney Vijayakumar. Curiously, after a month of the purchase, one Selvam, who is the recipient of compensation in a sum of Rs.3.3 Crores, was inducted as power agent of the petitioner and after a period of time, even according to the petitioner, the said Selvam had shown interest in purchasing the property belonging to the petitioner, which was sold to Selvam. There are many angles in which investigation has to be carried out by the law enforcing agency, in view of the large scale fraud committed not only in the grant of patta, but also creating of forged document and realising the

compensation on the basis of the forged document and the invalid patta, which is evident from the materials available on record.

27. According to the petitioner in Crl. O.P. No.11574/21, the medical ailments suffered by him are severe in nature and that he requires continuous treatment even for his survival. It is to be pointed out that medical ground alone cannot be taken in isolation for granting anticipatory bail to the petitioner, more so, when the allegations levelled and the fraud played on the exchequer has far reaching ramifications. Therefore, the above medical ailment, by itself, cannot be a ground for this Court to grant anticipatory bail to the petitioner. Further, even according to the petitioner, he is only named in the FIR and the case is in the investigative stage and even according to the petitioner, he is not a ranked accused, as of now. In such a situation, this Court is not inclined to accede to the request of the petitioner by precluding the investigating agency to investigate the matter wholly.

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28. One other thing which stares on the face of the record, as already stated above, is the fact that A-1 was aged 20 years on the date, when he entered

into the alleged agreement for buying the property from his vendor for a sum of Rs.23,01,000/-. The alleged agreement is said to have been entered in the year 1995 and before entering into the sale deed, patta has been applied for by A-1 and the Assistant Settlement Officer/A-2 had granted settlement patta in favour of A-1 in the year 2000 itself, much prior to the entering into sale deed by the A-1, which sale deed was entered only in the year 2004. In this backdrop, a perusal of the sale deed between A-1 and his vendor, Venugopal Rao in the year 2004 reveals that a clause is found therein that only in the said sale deed, consent has been given to the purchaser to apply for and get mutation of his names in the public record and patta as owner of the land conveyed. However, A-1 had applied for settlement patta in the year 2000, which has been granted by A-2 on 26.7.2000. Further, A-3 had granted patta on the basis of the order passed by this Court in W.P. No.28923/04 and also the settlement patta, which has been discussed above and on an overall consideration entire factual matrix, this Court is of the considered view that a deeper investigation is required to unearth the conspiracy and connivance of the various interested persons in the offence.

29. The entire transaction, which has been detailed above, which is only a tip of the iceberg, for which documents have been filed by the respondent, reveal that there are many lapses in the mutation of revenue records, grant of patta, execution of sale deeds and sale agreement and payment of compensation, which has eroded the exchequer of a chunk of money, which requires an in-depth investigation. It is to be pointed out that this Court as the custodian of law, equally has a task to safeguard the financial position of the State and this Court cannot allow the same to be fed to any individuals on the basis of fraud and forgery. In such a backdrop, at this point of time, acceding to the request of the petitioners by granting anticipatory bail would have a prejudicial effect on the investigation and, therefore, for the reasons aforesaid, this Court is not inclined to grant anticipatory bail as sought for.

30. For the reasons aforesaid, all the petitions are dismissed.

Index : Yes / No

Internet : Yes / No

GLN

26/28

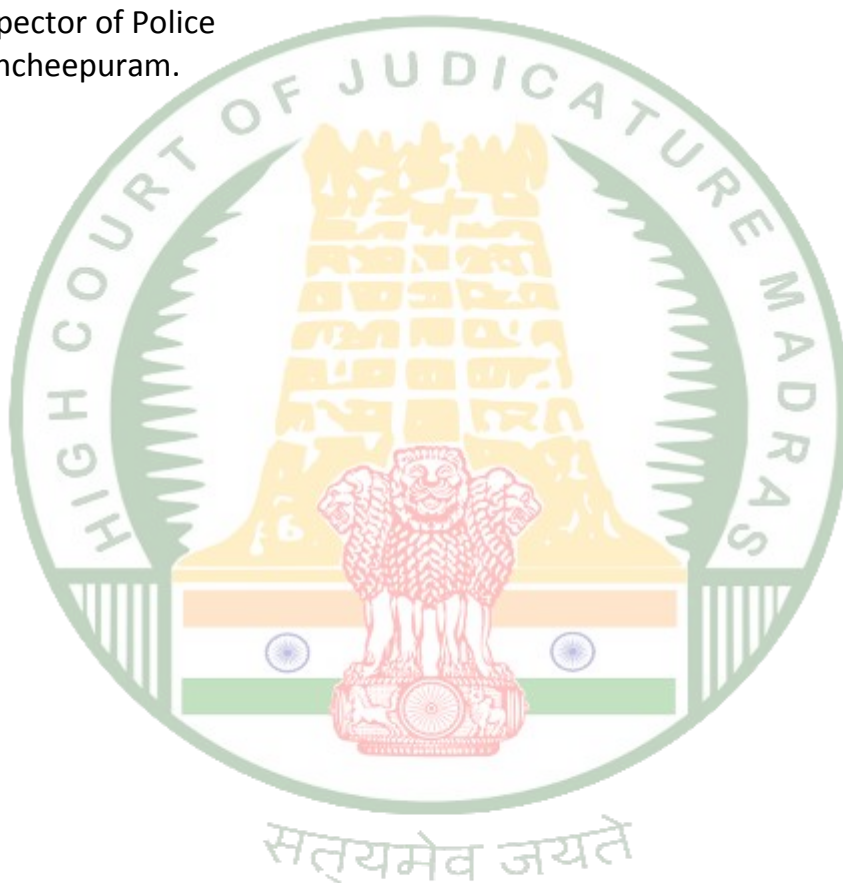
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09.07.2021

To

1. The Public Prosecutor
High Court
Madras.

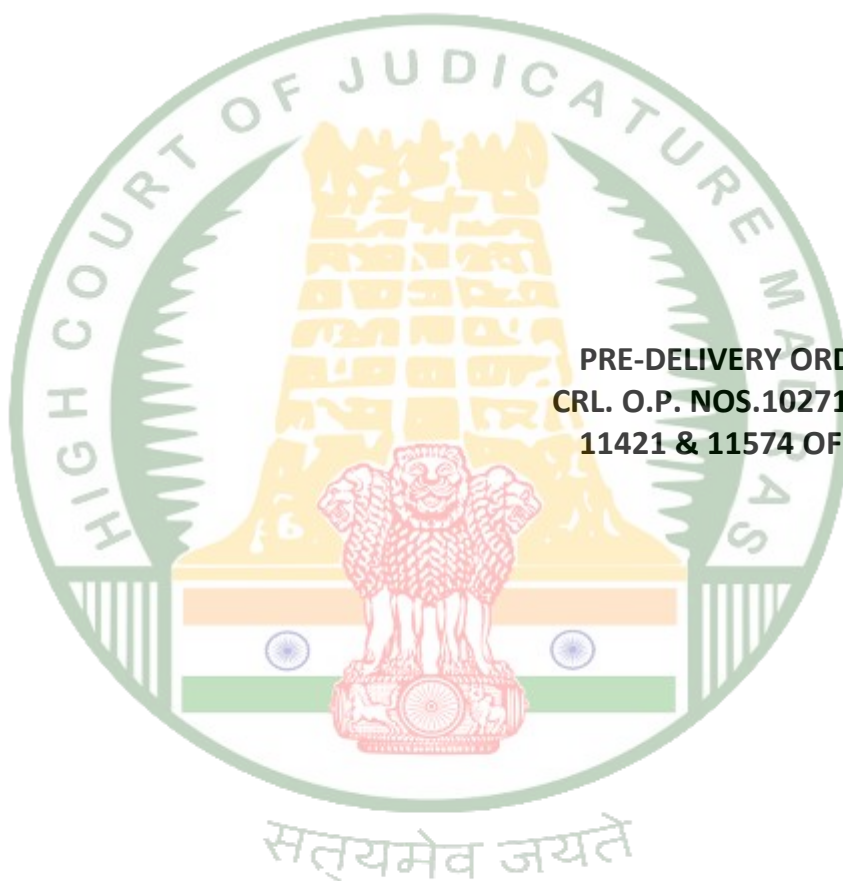
2. The Inspector of Police
DCB, Kancheepuram.



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M.DHANDAPANI, J.

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**PRE-DELIVERY ORDER IN
CRL. O.P. NOS.10271, 10645,
11421 & 11574 OF 2021**

**Pronounced on
09.07.2021**

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