



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15556 of 2021

UMESH KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH (TEAM XVI),
CHENNAI DISTRICT
CRIME NO.137 OF 2018

[RESPONDENT]

For Petitioner : P.SATHIYAMURTHY Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

For Intervenor : M/S.L.RAJENDREN Advocate

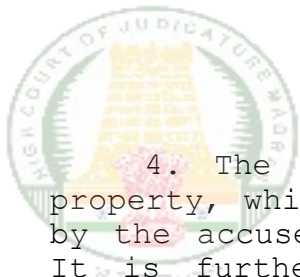
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 419, 468, 471, 420 and 120 (B) IPC in Crime No.137 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with the other accused, colluded and fabricated documents and sold registered the land to the defacto complainant and his wife. Hence the present complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and that the petitioner had only produced one person for signing as witness at the request of the other accused. It is the further submission of the learned counsel for the petitioner that the petitioner has not even been implicated in the offence by showing him as an accused in the FIR. Therefore, he seeks the indulgence of this Court to enlarge the petitioner on anticipatory bail.



4. The learned Additional Public Prosecutor submits that the property, which is said to belong to Revathi, has been allegedly sold by the accused to the defacto complainant by fabricating documents. It is further submitted by the learned Government Advocate that investigation is still underway. However, it is fairly conceded by the learned Government Advocate that the name of the petitioner does not appear in the FIR as an accused. Therefore the apprehension of arrest claimed by the petitioner does not survive.

5. A perusal of the materials, more particularly the FIR reveals that the petitioner is neither shown as accused nor any averment is made against the petitioner in the FIR. In such a backdrop the apprehension of arrest expressed by the petitioner does not arise.

6. In the aforesaid circumstances this petition is closed granting liberty to the petitioner to renew his prayer if he is implicated in the offence at a later point of time.

-sd/-
06/09/2021

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.

TO

1 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH (TEAM XVI),
CHENNAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to P.SATHIYAMURTHY Advocate on payment of necessary charges

CRL OP.15556/2021

Date :06/09/2021

JPA 24/09/2021