



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19318 of 2021

1 VALLIYAMMAL [PETITIONERS / ACCUSED]
2 SAROJA
3 MUTHU.G
4 USHA.G
5 KAMAL.G (RATHA)

Vs

THE STATE REPBY [RESPONDENT]
THE ASSISTANT COMMISSIONER OF POLICE,
LAND GRAB BLOCKING WING-II, CCB-II,
CENTRAL CRIME BRANCH, ALGSC-II, GREATER CHENNAI POLICE,
VEPERY, CHENNAI-600 00.

For Petitioner : M/S.C.BASKARAN Advocate

For Respondent : M/S.C.E.PRATAP, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 465, 467, 468, 471 and 34 of IPC in C.C.B.II Cr.No.29 of 2021 on the file of the respondent seek anticipatory bail.

2.The case of the prosecution is that one K.V.Thirupathaiah purchased a land of 9.23 acres for laying house site and in the name of Sri Ranga Avenue in which 10560 sq.ft allotted for laying road and executed a gift deed, Doc No.5763 of 1999 in favour of Puzhal Panchayat Union Commissioner for Governor of Tamilnadu and the petitioners who were the legal heirs of K.V.Thirupathaiah are alleged to have suppressed the earlier gift deed and created forged release deed and settlement deed which is meant for laying road by the Government. Thereby, the defacto complainant/Zonal Officer of Greater Chennai Corporation lodged a complaint before the law enforcing agency. Hence, the law enforcing agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that there are two civil cases pending before the lower court. Hence he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that the gift deed executed by the original land owner for forming layout in 1999, where the petitioners encumbrance the property by keeping the bogus deed. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the earlier gift deed was executed by the owner of the property in favour of the Metropolitan Chennai Corporation and the present release deed and settlement deed have been forged by the petitioners and considering the gravity of offence committed by the petitioners, this court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/10/2021

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 ASSISTANT COMMISSIONER OF POLICE,
LAND GRAB BLOCKING WING-II, CCB-II,
CENTRAL CRIME BRANCH, ALGSC-II, GREATER CHENNAI POLICE,
VEPERY, CHENNAI-600 00.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.BASKARAN Advocate on payment of necessary
charges SR.NO.11486

CRL OP.19318/2021

Date :20/10/2021

TA-17/11/2021