



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

Wednesday, the Twentieth day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.19385 of 2021

FAROOQ AHMED

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
CBCID SOUTH,
THIRUVARUR POLICE STATION,
CR.NO.1/2021.

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.T.K.RAVIKUMAR Advocate

For Respondent : MR. L.BASKARAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.ABUDU KUMAR RAJARATHNAM Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 18.09.2021 for the offence punishable under Sections 406, 420, 465, 468, 471 of IPC, in Crime No.1 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant and others had obtained properties as the legal heirs of their father R.K.M.Sarbudeen and enjoyed the same for some time, and thereafter they went to Malasia and are residing there. Further, the petitioner is the power of attorney of the defacto complainant and others. At this stage, the petitioner had created fraudulent document for the property belonging to the defacto complainant in Suvey No.190/5 and the said land was acquired by the Government for National Highways. Further, the petitioner had created fraudulent document and obtained the compensation amount of Rs.1,50, 37,403/- from the Government with the help of some Government officials. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He



further submitted that the petitioner has been in jail from 18.09.2021. He further submitted that on 29.05.2019 agreement for settlement was entered into between the petitioner and the defacto complainant, wherein the petitioner paid a sum of Rs.90,00,000/- to the defacto complainant and she received that amount on behalf of the others also and has given an undertaking to withdraw all the pending cases. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner had created fraudulent documents and obtained compensation amount from the Government officials and cheated the defacto complainant and others. He further submitted that the investigation is at preliminary stage. Hence, he vehemently opposed for grant of bail to the petitioner.

5. The learned counsel for the Intervenor/defacto complainant submitted that though the power of attorney was executed in the year 2014, subsequently, the said power of attorney was cancelled in the year 2016, though several properties was entrusted to be maintained by the petitioner. Further, the petitioner had created fraudulent documents and obtained compensation from the Government officials and cheated the defacto complainant and others. Hence, he strongly opposed for granting bail to the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the allegation levelled against the petitioner that he had created fraudulent documents and obtained compensation and cheated the defacto complainant and others and that he is involved in a very serious offence, this Court is not inclined to grant bail to the petitioner.

7. 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 INSPECTOR OF POLICE
CBCID SOUTH,
THIRUVARUR POLICE STATION.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE,
SUB JAIL, NAGAPATTINAM.

CC to M/S.T.K.RAVIKUMAR Advocate on payment of necessary charges

CRL OP.19385/2021

Date :20/10/2021

INBA-10/11/2021