



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20197 of 2017

R.CHANDRASEKARAN,

[PETITIONER / ACCUSED]

Vs

1 STATE REP BY

[RESPONDENTS]

THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
DISTRICT CRIME BRANCH,
THIRUVALLUR DISTRICT.
CR.NO.18 OF 2017.

2 MRS.LAKSHMI KANTHA

[RESPONDENT/DE-FACTO COMPLAINANT]

3 M/S.OCEANIC INFRASTRUCTURE PVT, LTD,
REP. BY ITS DIRECTOR
M.MURALEEDHARA REDDY,
(RESP.2 & 3 IMPEADED AS PER HON'BLE COURT DIRECTION)

For Petitioner : M/S.S.HEMALATHA Advocate

For Respondent : M/S.A.GOKULAKRISHNAN, Additional Public Prosecutor
(R-1)

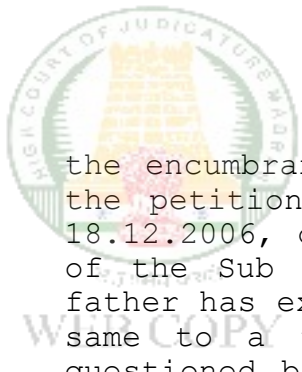
For Respondent : M/S.V.P.DILLIBABU, Advocate, (R-2)

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 Section 419, 467, 468 r/w 471, 420 and 506(ii) of IPC in Cr.No.18 of 2017 on the file of the Superintendent of Police, Crime Branch, Thiruvallur District, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's father executed a will in favour of his daughter measuring 2.71 cents and thereafter he died. Later, when the defacto complainant checked



the encumbrance status of her property, to her shock, she found that the petitioner was alleged to have created a forged document dated 18.12.2006, duly registered as Document No.3815 of 2006 in the office of the Sub Registrar, Sripermbudur as if the defacto complainant's father has executed a will in favour of the petitioner and he sold the same to a third party in sale consideration. When the same was questioned by the defacto complainant, the petitioner threatened her with dire consequences. 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 based on the false complaint given by the defacto complainant, he has been falsely implicated in this case. He further submitted that the petitioner was the power of attorney holder for the land measuring 1.55 cents for which he had executed a sale deed and the same was also been cancelled by him. He furthermore submitted that the person who executed the power of attorney to the petitioner is no more and even at the time of execution of Power of Attorney, the alleging principal was not alive and it was also found to be created by an impersonated person. Hence prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor for the 1st respondent submitted that the defacto complainant is the owner of the land measuring 2.71 cents and the petitioner is alleged to have created forged documents and he sold the same to a third party in sale consideration. He further submitted that there are three previous cases similar nature pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned counsel appearing for the Intervener submitted that the petitioner has created forged sale deed dated 18.12.2006 for the total extent of 2.71 cents which belong to the defacto complainant and the sale deed was recently cancelled by the petitioner to some extent and for the remaining extent of 1.65 cents, fabricated sale deed is in force, petitioner is the power of attorney holder for the same. Hence, he vehemently opposed for grant of anticipatory bail.

6. Considering the facts and circumstances of the case and the previous cases similar nature pending against the petitioner and considering that if he is released on bail, he would tamper the evidence, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is



dismissed.

-sd/-

22/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

WEB COPY

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
DISTRICT CRIME BRANCH,
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS-104.

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

CRL OP.20197/2017

Date :22/12/2021

TA-05/01/2022