



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 30/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.6051 of 2021

Rathinasamy

... Petitioner/12<sup>th</sup> Accused

Vs

State Rep by  
The Inspector of Police,  
City Crime Branch(ALGC),  
Tirunelveli.  
(Crime No.7 of 2020)

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate.

For Respondent : Mr.KR.Bharathi Kannan,  
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.7/2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.It is seen from the submissions made that the property in dispute belonged to one Narayanan Chettiyar through his mother Annapoorani, as per the registered settlement deed dated 20.09.1965. In a family settlement, Narayanan Chettiyar got the property and he was in enjoyment. The said Narayanan Chettiyar died on 25.10.1996 leaving the defacto complainant and his brothers and sisters as legal heirs. The property was in possession and in enjoyment since then. Now the accused impersonated as Ramalakshmi Ammal, who died already, and executed the family arrangement deed dated 23.10.2017. The documents are forged documents. The petitioner who is a document writer, without verifying the prior documents and knowing that the accused produced forged IDs, he wrote the document. Therefore, this case.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he is only a document writer. Therefore, he seeks Anticipatory Bail.

4.The learned Government Advocate(Crl.Side) strongly opposed to grant Anticipatory Bail to the petitioner on the ground that all the accused are absconding. He submitted that the fourth accused arrested and released on bail. Since all other accused are absconding, there is no progress in the investigation.

5.Considering the facts and circumstances of the case and the fact that the accused have created forged documents to cheat the owners of the property and the fact that the petitioner is a document writer and the alleged forged document was created without verifying the genuineness of the documents and the executants and beneficiaries and also taking into consideration the investigation in this case is not completed, this Court is not inclined to grant Anticipatory Bail to the petitioner and accordingly this Criminal Original Petition is dismissed.

sd/-  
30/04/2021

/ TRUE COPY /

/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH (ALGC),  
TIRUNELVELI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.6051 of 2021  
Date :30/04/2021

vrn  
JM/VR/SAR IV/17.05.2021/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>