



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

Monday, the Thirty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.464 of 2022

1 P.SARAVANAN
2 K.VENKATESAN
3 V.VEERAPATHIRAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE, CBCID POLICE STATION,
IYYANAR NAGAR, ORLIAPET, PUDUCHERRY.
CR.NO. 27/2021.

[RESPONDENT]

For Petitioner : M/S. M.GNANASEKAR Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Sections 34, 419, 468 and 471 of IPC in Crime No.27 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased larger extent of property in Survey No.54/3 from one Srinivasa Reddiyar from various date from 1973 to 1978 and there was partition between the brothers and sisters of the defacto complainant Mr.Elangovan. Subsequently came to know on 08.11.2021 when applied for EC that there were subsequent transactions as if the vendor Srinivasa Reddiyar was alive when the Srinivasa Reddiyar died on 18.08.2020 and the defacto complainant came to know the transaction by A1 to A5. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that in fact, the Power holder Srinivasan executed the General Power of Attorney in this regard of the property, based upon he entered transaction. But the defacto complainant gave a false complaint. Hence, he prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor (P) submitted that he impersonated one person Srinivasan and created power of attorney and on construction of the property. In fact, originally Srinivasan was died at Old age Home at Salem, from whom the defacto complainant purchase the property in the year 1973 to 1981 and now this petitioner criminally conspired along with the accused and created the fake documents by impersonating the same one and the same was observed by the District Registrar during the enquiry order passed on 10.01.2022 that those documents are related to power of attorney stands in the name of the petitioner fraudulently transacted documents through inspection, if he released on bail he tampering the evidence. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, the submission made by the learned Additional Public Prosecutor (P) it needs detailed investigation, if he released on bail he tampering the evidence, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

31/01/2022

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 POLICE STATION, IYYANAR NAGAR,
ORLIAPET, PUDUCHERRY.

2 THE PUBLIC PROSECUTOR, PUDUCHERRY

CC to M/S. M.GNANASEKAR Advocate on payment of necessary charges Sr.1735

CRL OP.464/2022

Date :31/01/2022

RVR 03/02/2022