



Crl.OP.No.17229 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 465, 468, 471 & 420 of IPC, in Crime No.181 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused had removed the remarks of the registration department stating that a power of attorney document registered as Document No.2924 of 2021 was a fake one and therefore the property was transferred to third party. Hence the complaint.

3. The learned Senior Counsel appearing for the petitioner submitted that there are totally two accused in which the petitioner is arrayed as A1. The petitioner is a Service Engineer working in the Zigma Technologies India Private Limited for the past 15 years and he was deployed at the head quarters of the Registration Department of the Central Chennai. The allegation as against the petitioner is that on 30.03.2021, he had removed the endorsement in respect of the annulation of the power of attorney document by the District Registrar, Central Madras, Chennai. The petitioner cannot access



CrI.OP.No.17229 of 2022

I.P.No.10.236.85.86 without any password. The password is maintained by the officer concerned and the petitioner has no access and no password to access the said computer which was allotted for the Joint Registrar, Central Madras, Chennai-1. The petitioner is only employee of the Zigma Technology India Pvt. Ltd., and he has nothing to do with the crime as alleged by the prosecution. He further submitted that he had no knowledge about the subsequent transaction of the property in view of the alleged removal of endorsement and therefore, the custody interrogation of the petitioner does not required in this petition and prayed for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are two accused in which the petitioner is A1. Both the accused persons were employed by the Zigma Technology India Private Ltd., in which the petitioner is working as Service Engineer and he was deployed at the headquarters office of the Registrar Office of the Joint Registrar, Central Madras, Chennai-1. A2 deployed in the Inspector General of Registration, Chennai, at the help desk. Both the accused persons were connived together and removed the endorsement in respect of the power of attorney filed in document No.2924 of 2021 which was endorsed as "cancelled as fake document". It was also duly entered into encumbrance certificate.



Crl.OP.No.17229 of 2022

Further both the accused persons removed the said encumbrance on the document and on the strength of the said power of attorney, sale deed has been executed by the other persons. Therefore, to unearth the truth of the entire scam the custodial interrogation of the petitioner is very much required and it is premature stage to consider the anticipatory bail of the petitioner.

5. It is seen that there are two accused and the petitioner is A1. Admittedly the petitioner was employed in the office of Joint Registrar, Central Madras, Chennai-1. A2 was deployed in the office of the Inspector General of Registration at help desk. While being so, both the accused removed the encumbrance of annulation of power of attorney document registered by the document No.2924 of 2021 by the District Registrar Administration, Central Madras, by the proceedings dated 25.09.2020.

6. On perusal of the encumbrance certificate, the said order was duly endorsed in respect of the property comprised in survey No.642, Plot No.18 ad measuring 2400 sq.ft., situated at Nethaji Nagar, Madanakuppam, Korattur, Chennai. Both the accused persons removed the said encumbrance on 30.03.2021 at about 6.33 p.m., to 6.43 p.m., by using the computer which was allotted for the Joint Registrar, Central Madras, Chennai-1, by using the



Crl.OP.No.17229 of 2022

password in I.P.No.10.236.85.86. Thereafter, on the strength of the cancellation of endorsement in respect of the Power of Attorney, sale deed was executed in respect of the said property. Therefore, the custodial interrogation of the petitioner is very much required to unearth the subsequent sale and purchaser of the said property on the strength of the cancellation of power of attorney document. That apart, the anticipatory bail petition is a premature and only on the custodial interrogation of the petitioner, further investigation to be done by the respondent. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petitions is dismissed.

22.07.2022

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