



Crl.O.P.No.23882 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

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THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.23882 of 2022

C.Paulpandi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCB Team - XXII Police Station,
Chennai.

(Crime No.155/2022).

... Respondent

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.155
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.08.2022 for the offences punishable under Sections 419, 465, 467, 468, 471, 420 r/w 34 of IPC, in Crime No.155 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused by fabricating documents in favour of the accused and by impersonating, sold the property belong to the de-facto complainant to the third parties. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been roped into this case, since he had attested the documents. He would further submit that he has gone to the office of Sub Registrar and on the request made by the other accused, he has attested as witness in the power of attorney document without knowing its genuineness and other than that, the petitioner has not indulged in the impersonation and fabrication of documents. He would also submit that the entire case is borne out by documents and he would also state



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that the petitioner is in custody from 12.08.2022 and he is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner is arrayed as A9. He would further submit that the petitioner along with the 13 other accused had fabricated the documents in favour of one of the accused and by impersonating, sold the property belong to the de-facto complainant to the third parties. Hence, he oppose to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel that entire case is borne out by the documents and also considering the fact that the petitioner has only attested the witness signature in the fabricated document, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Special Metropolitan Magistrate, Land Grabbing Court, No.11(FAC), Egmore, Allikulam, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the



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petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

29.09.2022

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To

1. The Special Metropolitan Magistrate,
Land Grabbing Court, No.11(FAC),
Egmore, Allikulam, Chennai.
2. The Inspector of Police,
CCB Team - XXII Police Station,
Chennai.
3. The Central Prison,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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