



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11440 of 2022

Sathiyarajan

... Petitioner/Accused No.4

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Ramanathapuram.
Cr.No.01/2022.

... Respondent/Complainant

For Petitioner : M/s.Mahendran B,

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

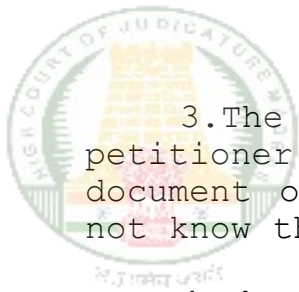
PRAYER :-

For Anticipatory Bail in Cr.No.01/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 465, 468, 471, 420 r/w 120(b) IPC, in Crime No.01 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the disputed property originally belonged to one Bairavan Chettiar. The petitioner along with others cheated by impersonation and fabricated the settlement deed dated 23.02.2015, in favour of the first accused. Thereafter, the first accused had executed a sale deed in favour of third accused. In the said document, the second and fourth accused have signed as attesting witnesses. Hence, the complaint. The petitioner herein is the fourth accused in this case.



3.The learned counsel for the petitioner submitted the petitioner is the fourth accused in this case. He signed the document only as an attesting witness. The attesting witness may not know the full contents of the document.

4.The learned Government Advocate (Crl.Side) submitted that the investigation is not yet completed and prays to dismiss the petition.

5.Perusal of records reveal the facts that the petitioner was an attesting witness in the alleged document. The attesting witness must identify the executants of the document. The averment of the petitioner that he attested in the document, without knowing the contents and the executants, is not at all acceptable. In this case, further investigation is required. The petitioner must surrender before the respondent police and custodial interrogation of the petitioner is necessary in this case.

6.On the above facts, this Criminal Original Petition is dismissed.

sd/-
28/06/2022

/ TRUE COPY /

/07/2022

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

TO

- 1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11440 of 2022
Date :28/06/2022

RK/JM/SAR-II/07.07.2022 : 3P/3C