



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.19494 of 2022

WEB COPY

M.Christy Rex

... Petitioner/Accused

Vs

The State rep.by,
The Inspector of Police,
DCB(ALGSC)Police Station,
Trichy District.
(Crime No.27 of 2022)

... Respondent/Complainant

(Amended as per order of this Court
dated 11/11/2022 in CrI.MP(MD).
No.13681 of 2022 in CrI.OP(MD)
No.19494 of 2022)

For Petitioner : M/s.Robinson A,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

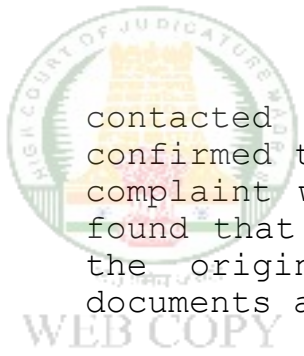
PRAYER :-

For Anticipatory Bail in Crime No.27 of 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, 420, 465, 468, 469, 471 r/w 34 of IPC, in Cr.No.27 of 2022,
seeks anticipatory bail.

2.The defacto complainant lodged a complaint stating that one
Selvam, who was the owner of the property comprised in S.No.23/4 to
an extent of 3.44 acres situated in Elanthapatti Village,
Thiruverumbur Taluk, Trichy District. The defacto complainant
purchased a Plot No.36 from the above said Selvam in the year 1984
vide document No.158/1984. For the purpose of changing patta, he
obtained an encumbrance certificate. On seeing the same, he came to
know that the petitioner along with other accused created forged
documents and impersonated as the original owner of the property and
executed a sale deed in favour of the third party. Subsequently, he



contacted the original owner Selvam and informed the he confirmed that he did not execute power deed to any one. Thereafter, complaint was given by the defacto complainant. On enquiry, it was found that the petitioner sold the plots, which were purchased from the original owner Selvam by others also by creating forged documents and impersonation. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the original owner Selvam executed a power deed infavour of one Manimaran. From him, he purchased the disputed property in the year 2009 for full consideration. From the date of purchase, he is in possession and enjoyment of the property. The defacto complainant found some transaction in the year 2009 itself. After a lapse of 13 years, present complaint came to be registered. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that totally 4 accused are involved in this case. The petitioner is arrayed as A3. The petitioner herein arranged another two persons in the name of original owner Selvam & one Manohar and created a bogus documents. A2 received power deed from A1 and then, sold the same to A3, who is the petitioner herein. Serious allegation has been made against the petitioner and the investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the gravity of the offence, the custodial interrogation of the petitioner is necessary and the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
15/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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



TO

1.The Inspector of Police,
DCB (ALGSC) Police Station,
Trichy District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

+1 CC to M/s.A.ROBINSON, Advocate (SR-13109[I] dated 16/11/2022)

ORDER

IN

CRL OP (MD) No.19494 of 2022

Date :15/11/2022

RK/VR/SAR- (24/11/2022) 3P/4C