



Crl.O.P.No. 2545 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 16.12.2022 for the alleged offence under Sections 465, 467, 468, 471, 406, 420 of I.P.C. r/w 34 of I.P.C. in Crime No.755 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was in possession and enjoyment of property of an extent of 2.33 cents in S.Nos.63/2, 72/2A, 73/3. However, without having any original documents in his name by using mortgage deed in the name of Thiru Sagadevan and Tmt. Sathyalakshmi, with the help of Sub-Registrars forged some documents, distorted and changed the registration papers and forged the same into original documents for the above said survey numbers. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that he is not maker of any forged documents as adumbrated in Sec.464 of I.P.C. and hence, he cannot be held liable for any forgery and false documents or misrepresentation or impersonation. He would submit that there is no specific overtact attributed against the petitioner and he is an innocent person and he has not at all committed any offence as alleged by the respondent police. He would submit that he has been falsely implicated by the respondent police and he is no way connected with the occurrence and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 16.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 3 accused involved in this case and the petitioner is arrayed as A1. He would submit that by forging documents, he has changed registration papers for the above said survey



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numbers in his name, in which further victims have to be enquired to obtain some documents from the concerned offices and to cancel the forged documents created by him. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is in preliminary stage. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner, who has forged the documents and changed the registration papers for the aforesaid survey numbers in this name, in which, further victims are to be enquired and also considering the fact that if he is released on bail, the trial would be stalled and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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