



CRL.O.P.No.3756 of 2023

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T.V.THAMILSELVI,J.

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The petitioner who was arrested and remanded to judicial custody for the offence punishable under Sections 465,467,468,471 and 120(B) of I.P.C in C.R.No.1 of 2023 seeks bail.

2. The case of the prosecution is that the mother of the defacto complainant have purchased the subject property and she has entered into an Joint Venture agreement with one A3/Sridharan for construction of Apartments. Thereafter due to some reasons a General power of attorney was executed in the name of the petitioner, who has allegedly transferred the same in favour of his wife and other relatives. The further case of the prosecution is that the mother of the defacto complainant had spent money for construction the 3rd and 4th floor. During the course of investigation it came to light that with an intention to grab the property of Thirupurasundari, even after the death of the said Thirupurasundari the petitioner misused a power of attorney executed by the Thirupurasundari in his favour and allegedly executed sale deed in favour of his wife and his relative. Hence the complaint.



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3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submits that the mother of the defacto complainant has entered into an agreement with A3 who has acted only as per the terms of agreement and there is no deviation in it. He further submits that only the defacto complainant failed to comply with the terms of agreement. Hence prays for grant of bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner got the general power of attorney from one Thirupurasundari and after her demise he misused the same as she is still surviving and thereby allegedly transferred the subject property in the name of his wife and other relative. **He further submits that investigation is still pending and the District Registrar, Chennai vide proceedings dated 13.12.2022 in Na.Ka.No.8472/A2/2022 had cancelled the alleged document.** Hence he vehemently opposed for grant of bail to the petitioner.

5. Considering the serious nature of offence and value of the



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property more than crores and the role played by this petitioner and the investigation has not been completed and nature of offence committed by the petitioner, this court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

16.02.2023

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