



CrI.OP.No. 7934 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 30.03.2023 at the hands of the respondent police for the alleged offences punishable under Sections 447, 465, 467, 468, 471 & 120B of IPC in Crime No. 6 of 2023, seeks bail.

2. The case of the petitioner is that she is the granddaughter of one Mariammal, who is the legal heir of one Kuttarammal, who living in the disputed property in S.No.2928, situated at Varadammal Garden, Purasaiwalkam Taluk, admeasuring 40 grounds and 2200 sq.fts. The said Mariammal had executed a settlement deed in favour of the petitioner in D.No.4645 of 2008, SRO, Purasaiwalkam on 15.12.2008. When the third parties interfered with the possession, the petitioner filed a suit in O.S.No.438 of 2009 for permanent injunction and the same was decreed in favour of the petitioner on 08.03.2012. There was no claim made by the defacto complainant at that time, now only the document was produced claiming the title.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is no way connected with this offence. She is only a beneficiary as per the settlement deed. It was executed by her grandmother Mariammal in favour of the petitioner. Hence, he prays to grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the complaint has been lodged by AG & OT. The property originally belonged to “C.Kandasamy Naidu Trust”. There are totally three accused, in which the petitioner is A1, she only obtained settlement deed by using the other accused Mariammal. The petitioner/A1, who is in possession of the property, created forged documents and executed a settlement deed in favour of A2. A1 is grand mother of A2. The petitioner being an advocate, if she is released on bail, she will tamper with the evidence. Hence, he vehemently opposed for grant of bail to the petitioner.

5. It is seen that there are totally three accused, in which, the petitioner is arrayed as A2. The property originally belonged to “C.Kandasamy Naidu Trust” and subsequently, it was maintained by AG & OT and monitored by this Court. While being so, A1 is being grandmother of the petitioner, fabricated a false document and executed and as if she has title over



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the property admeasuring 40 grounds. Thereafter, A1 settled the property in favour of the petitioner herein. On the strength of the settlement deed, the revenue records were mutated in the name of the petitioner. Though, the petitioner approached the Court below while pending the bail application, she was ready and willing to cancel the settlement deed and before this Court, she refused to cancel the settlement deed. A1 is still absconding. Further, the petitioner has also refused to vacate the subject property.

6. Considering the above fact and circumstances of the case and the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

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