



Crl.O.P.Nos.9967 & 10298 of 2023

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Orders Reserved on
19.09.2023

Orders Pronounced on
21.09.2023

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RMT. TEEKAA RAMAN.,J.

The petitioners/accused apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 420, 465, 468 & 109 IPC registered in Crime No.7 of 2023, seek anticipatory bail.

2. The case of prosecution is that the defacto complainant lodged complaint stating that she was residing at Pondicherry, her husband executed settlement deed in the year 2013 in favour of her for the property Karthikeya Oil Mill and godowns in the year 2013 and the said properties were looked over by her father-in-law Jambukeswaran and he expired in the year 2022; while he was alive, he has borrowed Rs.15 lakhs from one Velavan through bank transaction, in this connection, he executed loan document in favour of the said Velavan, since her father-in-law do not have any right over the property, the Velavan and others joined together to grab the defacto complainant's properties; that they prepared such loan document and tenancy



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agreement and the tenants are insisting the defacto complainant to settle the loan amount borrowed by her father-in-law for vacating the premises. On the other hand, the said defacto complainant is forged woman; she forged so many documents; that actually the properties are owned by the said Jambukeswaran and his father-in-law Viswanantha Chettiar; that only in the year 2013, the said Jambukeswaran's son J.Karthikeyan executed settlement in favour of his wife, i.e. the defacto complainant and the same was registered as Document No.3541 of 2013 dated 10.06.2013, in that settlement deed, it is mentioned that 10 years back, the said Jambukeswaran was missing and it is admitted that Jambukeswaran is the owner of the said property.

3. Heard the learned counsel for the petitioners as well as intervenor.

4. The learned Government Advocate (Crl.side) would submit that the anticipatory bail filed by the petitioners before the District & Sessions Court, Salem in Crl.MP Nos.1085, 1084 and 1086 of 2023 were dismissed on 21.04.2023 and the matter is under investigation.



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5 (i) A piece of land measuring 4000 sq.ft. claims to be the property of the father-in-law of the defacto complainant. After the death of the father-in-law of the defacto complainant, the first accused has settled Rs.15 lakhs which is said to have been borrowed by the father-in-law of the defacto complainant. Thereafter, many people have started coming as if the father-in-law of the defacto complainant has borrowed money as a loan, in respect of the said property which ended a suspicion referring the matter to the police. On the preliminary investigation by the RTI, it came to light that an non-judicial stamp paper valued Rs.20/- is said to have been issued in the year 2018 by District Treasury. However, the document is typed as if it is entered into between the parties in the year 2017.

5(ii) The contention of the learned counsel for the petitioner that Civil Suits are pending is a different issue which is not touching upon the genesis of the offences. Here the signature in the non-judicial stamp paper which is admittedly issued by the concerned District Treasury is of the year 2018. While things being so, it claims that many transactions / documents are entered in the year 2017.



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5(iii) Therefore, I am not inclined to grant anticipatory bail to the petitioners for the present, with a liberty to file fresh application after passage of time or after receive of the forensic report.

6. Accordingly, both these Criminal Original Petitions are dismissed.

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order in
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