



Crl.O.P.No.119 of 2023

Crl.O.P.No.11981 of 2023

WEH C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.23 of 2022 registered by the respondent Police for the offences under Sections 420, 465, 468, 471 IPC r/w 34 IPC.

2.The learned counsel for the petitioner stated that, he has been falsely implicated as an accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioner.

3.It is stated that the petitioner along with other accused had created fabricated documents and grabbed properties worth several crores belonging to Sri Kamatchi Amman temple at Bharathi street, Puducherry. It is stated that in this manner, an extent of 00.31.60 HAC and 00.29.20 HAC of land comprised in R.S.No.292/4 and R.S.No.291/5 had been grabbed. It is stated that the said land originally belonged to one Sri Muthusamy Achary S/o Sri Ragava Achary. He is said to have executed a Will in favour of Sri Kamatchi Amman Temple on 06.03.1935. It was found that, when the



present trustees of the temple took up the administration of the temple, the said lands in R.S.No.292/4 stood in the name of Balasubramania Mudaliar and patta with respect to R.S.No.291/5 stood in the name of Sabari Educational Trust. It had been stated that there were proceedings before the Directorate of Survey and Land Records/Settlement under Section 23(1) of Puducherry Settlement Act, 1970 and further there was a petition before the Settlement Officer, wherein enquiry was conducted. It had been stated that an appeal had been filed before the Director, Directorate of Survey and Land Records in Appeal No.21 of 2021.

4.These are all complicated issues which had taken place over the land. Sofaras the petitioner is concerned, the petitioner is an advocate and Notary and is said to have attested a Will with respect to the said land. It is stated that the entire Will is a forgery and no such Will has been executed.

5.The learned counsel for the petitioner stated that the stand of the respondent was that the petitioner had participated in the creation of Will and later the respondent had now stated he had attested the Will which is said to be forged. Either way the petitioner should have been more watchful. The records of the year 1995 and 1997 maintained by the



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petitioner with respect to attestation of Will in his capacity of Notary were directed to be examined and it is the contention of the petitioner that he had handed them over to the District Court, Puducherry, whereas, very specifically the learned Public Prosecutor (Puducherry) stated that the learned Principal Sessions Judge, Puducherry had forwarded a letter stating there was no such practice of examining the records maintained by a Notary in the Union Territory of Puducherry.

6.The entire issue requires deep examination particularly because the allegation is with respect to grabbing of temple land to the disadvantage of the temple.

7.In view of all these facts, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

07.11.2023

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