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Crl.O.P.No.14540 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 419, 420, 464, 465, 468, 471 and 506(ii) IPC in Crime No.165 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that, petitioners' were informed by the 1st accused that, he is owner of the property to an extent of 1.37 Acres in Survey No.28 at Varadharajapuram Village, Kundrathur Taluk, Kancheepuram District. On the basis of that representation, a Sale Agreement was entered with 1st accused namely Senthil. However, now petitioners are falsely implicated in this case. Petitioners had no intention of cheating the defacto complainant, they bonafidely entered into a Sale Agreement, only after petitioners met the defacto complainant and asked him, whether he was willing to sell the land, defacto complainant gave a complaint. If there was an intention on the part of the petitioners to cheat the defacto complainant, they would



Crl.O.P.No.14540 of 2023

not have met the defacto complainant. In the said circumstances, this petition is filed to grant anticipatory bail to the petitioners.

3. In response, the learned Government Advocate (Criminal Side) opposes this petition, on the ground that, petitioners are the men behind creation/fabrication of Power of Attorney Deed said to have been executed by the defacto complainant and subsequently selling the property. The investigation in this case is still pending. Therefore, he prays for dismissal of this petition.

4. Considered the rival submissions and perused the records.

5. The first information report allegations show that, the defacto complainant claimed to have purchased the property to an extent of 1.37 Acres in Survey No.28 at Varadharajapuram Village, Kundrathur Taluk, Kancheepuram District from one M.C.Varadharaja Mudhaliyar through a registered Sale Deed dated 02.03.2005. On 29.05.2023, Subash, Amalraj and Vijay met defacto complainant at his office and asked him, whether he was willing to sell the land. Upon suspicion on the



Crl.O.P.No.14540 of 2023

accused, defacto complainant verified the records and found that, the Power of Attorney Deed bearing Doc No.4471/2023 dated 01.03.2023 was executed, as if, the defacto complainant had executed the Power of Attorney Deed. He never executed the Power of Attorney Deed. This Power of Attorney Deed is false and fabricated document using fabricated Adhaar card, Pan card and voter ID card etc., The accused had also impersonated the defacto complainant, at the time of registration of Power of Attorney Deed and then they also created the document in favour of 1st accused Senthil. He came to know that, accused obtained Non-Traceable Certificate from Manimangalam Police Station, claiming that, they lost the original document. Subash paid a sum of Rs.3,30,000/- and Vijay paid a sum of Rs.3,40,000/- to Sudhakar for impersonation. When defacto complainant made an attempt to present a petition on 31.05.2023, at the Sub-Registrar Office against the registration of document, accused made death threat to the defacto complainant. Therefore, a complaint was given.

6. Considering the facts narrated above and the alleged role of



Crl.O.P.No.14540 of 2023

the petitioners in fabricating/forging documents, this Court is of the view that, the prayer seeking anticipatory bail to the petitioners cannot be entertained.

7. In the result, this Criminal Original Petition is dismissed.

30.06.2023

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Crl.O.P.No.14540 of 2023

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Crl.O.P.No.14540 of 2023

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