



Crl.O.P.No.17070 of 2023

Orders Reserved on
12.09.2023

Orders Pronounced on
14.09.2023

Crl.O.P.No.17070 of 2023

RMT. TEEKAA RAMAN.,J.

The petitioner who is the sole accused in Crime No.17 of 2023 apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Sections 406, 420, 464, 465 of IPC dated 04.04.2023, seeks anticipatory bail.

2. The respondent police registered the complaint given by the defacto complainant alleging that his wife Mrs.Sajitha Begum gave a registered Power of Attorney before the Sub Registrar, Avadi and the accused, as a Power Agent had misused the Power of Attorney, cheated by creating bogus life certificate of the defacto complainant's wife, Mrs.Sajitha Begum and fabricated a receipt as if the amount has been remitted to the principal.

3. The learned counsel for the petitioner submitted that the petitioner had filed a Civil Suit in O.S.No.7179 of 2022 for a permanent injunction restraining the defacto complainant from intervening with his peaceful possession and enjoyment of the petition property.



Crl.O.P.No.17070 of 2023

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4. The learned counsel for the intervenor would contend that the petitioner is a habitual offender of the similar offence; that after obtaining the General Power of Attorney from the wife of the defacto complainant, he had fabricated the life certificate without getting the signature from the principal and created the life certificate with a bogus doctor and also created the received for alleged payment of the amount to the principal and filed the above suit and on his application before the RTI, alleged receipt dated 19.08.2015 on the non-judicial stamp paper; and however the said non-judicial stamp paper is said to have been issued by the Treasury Office only in the year 2016 and he had indulged in production of false document before the Civil Court after creating the same and he has already committed a very similar offence in Crime No.37 of 2023 before Manimangalam Police Station, Tambaram and the present Crime No.17 of 2023, CCB, Avadi is also on similar offence.

5. The learned Government Advocate (crl.side) would state that the matter is under investigation.



CrI.O.P.No.17070 of 2023

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6. After perusing the affidavit, the submissions made by the learned counsel for the petitioner as well as the intervenor, I find that it is the specific averment in the complaint that the receipt dated 19.08.2015 said to have been issued by the defacto complainant to the accused is a forged and fabricated document and non-judicial stamp paper was issued from the Treasury on 02.08.2016 at the SubTreasury, Mambalam-Guindy whereas receipt is dated 19.08.2015 and he has also fabricated the life certificate for execution of the sale deed in favour of his known person in respect of the property. The alleged signature in the life certificate of the defacto complainant is forged and the doctor who has issued the life certificate also denied her signature. Considering the nature and gravity of offence, the fact that the matter is under investigation and a similar nature of the offence is said to have been committed by the very same petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

14.09.2023

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RMT. TEEKAA RAMAN.,J.

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CrI.O.P.No.17070 of 2023

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Per-Delivery order in
CrI.O.P.No.17070 of 2023

14.09.2023

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