



Crl.O.P.No.17949 of 2023

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Orders Reserved on
27.09.2023

Orders Pronounced on
29.09.2023

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RMT. TEEKAA RAMAN., J.

The petitioner who is arrayed as accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 468, 471, 406, 420, 454, 380 of IPC registered in Crime No.45 of of 2023, seeks anticipatory bail.

2. The sister of the deceased Defre Marie Sussane lodged a complaint before the respondent police alleging that the petitioner herein gas trespassed into the house and broke open the room and take away the original sale deed and hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner was appointed as the power agent and General Power of Attorney in his favour was executed by the erstwhile owner Defree Marie Joseph and said Defre Marie Joseph died on 02.02.2017 and Defre Marie Sussane died 04.02.2018. They have executed an unregistered will on 22.10.2016 and in



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such capacity, he also filed a suit in O.S.No.2627 of 2011 and seeks anticipatory bail.

4. The learned Government Advocate (Pondicherry) would contend that the subject matter of the property in Door No.1/6, 6th Cross Sstreet, Sankaardoss Swamigal Nagar, Lowspet, Puducherry purchased by the erstwhile land owner Defre Marie Sussane and her husband Defre Marie Joseph on 25.02.1979. Both of them are France Nationals and hence they appointed the petitioner herein as the Manager Servant to look after the property. Both of them have died and hence the petitioner fabricated the Power deed dated 22.10.2016 and also fabricated a “Will”. After the death of the said land lady, her own sister gave a complainant that this petitioner who is the servant of the land lady has broke open the house and taken away the original sale deed alongwith jewels and cash kept in the bureau. Section 41 notice was issued to the attestor and the same is returned as no such person and with regard to Notary Public, the notary has given a statement that he is not maintaining the Notary Register, as contemplated under the Notaries Act and hence strongly opposed for grant of anticipatory bail to the petitioner.



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5. Heard the learned counsel for the petitioner as well as the Government Advocate (crl.side) and perused the records.

6. Considering the submissions made by the rival parties and the facts that was disclosed during the initial stage of investigation, the nature and gravity of the offence, the fact that the defacto complainant is none other than the own sister of the deceased landlady, who are France citizens, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

29.09.2023

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Order in
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29.09.2023