



Crl.OP.No.17986 of 2023

WEB COPY **G.CHANDRASEKHARAN, J.**

This petition is filed to grant bail to the petitioner/Accused No.1 in Crime No.254 of 2022, for the offence under Section 419, 465, 467, 468, 471 and r/w 120 B of I.P.C. pending on the file of the respondent Police herein.

2.It is the submission of learned counsel for the petitioner that petitioner and defacto-complainant are husband and wife. They jointly purchased the property measuring 514 sqft of UDS, out of 4545 sqft, situated at Door No.18, Ground Floor, G-4 East Raja Street, T.V.S Nagar, Main Road, Padi, Chennai – 600 050. Petitioner as co-owner has owned 50% of the share. Due to marital dispute, petitioner and defacto-complainant are living separate. Now, defacto-complainant has given a false complaint alleging impersonation and fabrication of documents. She is in judicial custody from 08.06.2023. Thus, this petition is filed for seeking bail.

3.In response, the learned Additional Public Prosecutor submitted that petitioner and defacto-complainant, as submitted by the learned counsel for



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the petitioner, are co-owners of the property. However, petitioner along with other accused especially accused Saravanan and Baskar had impersonated the defacto-complainant and created a power of attorney deed, by forging defacto-complainant's name, in the name of Saravanan. Subsequently, mortgage deed was also created. Investigation in this case is not completed.

4.The learned Additional Public Prosecutor also submitted that petition filed by A6 was dismissed in Crl.O.P.No.15184 of 2023.

5.Considered the rival submissions and perused the records.

6.It is no doubt that petitioner and the defacto-complainant are husband and wife and co-owners of the aforesaid property. The specific allegations made against this petitioner is that she along with other accused had impersonated the defacto-complainant, forged his signature and executed power of attorney deed in favour of accused Saravanan. In turn, mortgage deed in Document No.2975 of 2021 was executed before SRO, Villivakkam. Investigation in this case is still pending. In such circumstances, this Court is not inclined to grant bail to the petitioner.



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7. Accordingly, this Criminal Original Petition is dismissed.

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