



Crl.OP.No.18503 of 2023

G.CHANDRASEKHARAN, J.

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This petition is filed to enlarge the petitioner on bail in connection with Crime No.29 of 2023 on the file of the respondent Police.

2.It is the submission of learned counsel for the petitioner that petitioner has studied only up to third standard and she is illiterate. She was taken to the Sub-Registrar Office by the first accused only to stand as a witness. She does not know the contention of the document and she is also cheated. Petitioner is a heart patient and taking treatment. She is falsely implicated as accused in Cr.No.29 of 2023 for the offences under Sections 419, 420, 465, 468, 471 r/w 34 of I.P.C. She is in judicial custody from 17.07.2023. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted that the defacto-complainant is the owner of the property to an extent of 4800 Sq.ft., in plots bearing Nos.12 & 13 situated at Sri Mookambigai Nagar, comprised in Survey Nos.712/3 & 712/4 of Korattur Village. He was in possession and enjoyment of the property. He wanted to sell the property and applied for Encumbrance Certificate. On seeing the Encumbrance



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Certificate, he was shocked and surprised to see that the Settlement Deed was said to have been executed by him in favour of the second accused/J.Viji on 27.07.2021 in Document No.4859/2021 on the file of SRO, Villivakkam. Defacto-complainant had never executed such settlement deed. Somebody had impersonated him and executed the Settlement Deed in favour of J.Viji. In turn, J.Viji had executed three Sale Deeds in favour of A3, A4 and A5 on 04.08.2021 and 01.11.2021. Investigation in this case is pending. Thus, he seeks dismissal of this petition.

4.In response, the learned counsel for the petitioner submitted that the defacto-complainant filed a suit in O.S.No.210 of 2022 before District Munsif Court, , Ambattur, and the suit is still pending.

5.Considered the rival submissions and perused the records.

6.To a question as to whether petitioner/J.Viji is related to defacto-complainant, the learned counsel for the petitioner answered in negative, but claimed that she is only a neighbor. This court does not find any valid reason for the defacto-complainant to execute the Settlement Deed in favour of the



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petitioner/J.Viji, who is a stranger to defacto-complainant. Investigation in this case is pending. It is a case of impersonation, with a view to deprive and defraud the defacto-complainant of his property. In the said circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

22.08.2023

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