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Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023

Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023
and Crl.M.P.No.17580 of 2023

C.V.KARTHIKEYAN,J.

All these Criminal Original Petitions have been filed in Crime No.9 of 2023, registered by the respondent police for the offences punishable under Sections 120B, 467, 468, 471 & 506(i) of IPC on 14.09.2023.

2.The defacto complainant had also filed intervening application.

3.A1 has filed Crl.O.P.Nos.24655 of 2023, A2 has filed Crl.O.P.No.24646 of 2023, A3 and A4 have filed Crl.O.P.No.24654 of 2023 and A6 has filed Crl.O.P.No.24650 of 2023.

4.The 1st accused has sought bail in Crime No.9 of 2023 and all the other applications have been filed seeking anticipatory bail.



Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023

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5.The brief facts of the case are that the defacto complainant and his son and his daughter have jointly executed a Power of Attorney on 09.11.2007, registered as Doc.No.1225 of 2007 in favour of A1/S.Palanivel. The property was just kept in limbo and no further transaction had taken place. Subsequently, A1 had executed a Sale Deed in favour of his son/A2 on 14.09.2023. At that time of execution of that particular Sale Deed since it had been executed by a Power of Attorney agent, a Life Certificate that the principals are alive should be issued. This had been issued by A6/the Doctor. He had certified that all the principals were alive. But at that point of time, A2 and A3, the son and daughter were actually abroad. A1 also did not appear before the Doctor. This particular Life Certificate document is a forged document, containing the forged signature of the defacto complainant and his son and his daughter. Trusting that particular Life Certificate as a true and genuine document, the Sub-registrar, on the basis of the Power of Attorney document, had registered the Sale Deed.



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6.The entire issue speaks volumes of conspiracy being done to cheat the defacto complainant and his property.

7.It is the contention of the learned counsel for the accused herein, that the property did not belong to daughter and son of the defacto complainant and therefore, it is immaterial whether any Life Certificate was given for them or not. But however, they had granted power to A1 to deal with the property. Therefore, they are very relevant and the Life Certificate certifying them as being present is an extremely relevant document. That particular document is a forged document.

8.The learned counsel for the defacto complainant/Intervenor, stated that the property should be restored back to the defacto complainant. Initially though that statement was made, the learned counsel for the accused had not taken it up and later when the mind of the Court was indicated, stated that he would come forward to restore the property. But there seems to be no bonafide in that particular



Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023

representation. Investigation will have to be done in this issue, I am not inclined to grant the reliefs.

9. Accordingly, the application seeking bail and the applications seeking anticipatory bail are all dismissed. The connected intervening petition is permitted. The Investigating Agency is directed to take A2/beneficiary under the Sale Deed into custody and report before this Court.

10. List the Crl.O.P.No.24646 of 2023 alone on 30.11.2023 to report compliance of the direction to take A2 into custody.

08.11.2023

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Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023

C.V.KARTHIKEYAN,J.

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Crl.O.P.Nos.24655, 24650, 24646 & 24654 of 2023

08.11.2023