



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2023

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.2086 of 2023

1 John
2 Gnanadass @ Joshuva Gnanadass ... Petitioners/Accused Nos.1 & 4

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Tirunelveli District
(Crime No.19 of 2022). ... Respondent/Complainant

For Petitioners : M/s.Appaji.C.K.M.,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/accused Nos.1 & 4, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 420, 465, 467, 468, 471, 417, 419, 120(B) and 109 of I.P.C., in Crime No.19 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution the defacto complainant purchased the property comprised in Survey Nos.244/7, 242B/3 and 279/6 through a registered sale deed, dated 03.06.2019, at Pookudaiyur Village from three persons, namely Kamalam, Emi Malika and Backiaselvi. The defacto complainant came to know that the petitioners are the agents, who created the above-said forged sale deed by impersonating the original owner of the property, who are A5 and A6. The defacto complainant filed a direction under Section 156(3) of Cr.P.C before the learned Special Judicial Magistrate (FAC) Special Court for Anti-Kidnapping Cases, Tirunelveli in Cr.M.P.No.8442 of 2022 and



the same was ordered on 06.07.2022. Hence, the said registered.

3. Heard. Perused the materials available on record, including the First Information Report.

4. On a perusal of the F.I.R, it is seen that there are totally nine accused in this case. The petitioners acted as an agent and impersonated their close relatives as owners of the property and executed the sale deed in favour of the defacto complainant. Therefore, the petitioners had committed a very serious offence and custodial interrogation of the petitioners is very much required in this case. Accordingly, this Criminal Original Petition is dismissed.

sd/-

07/03/2023

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS

TO

1. The Inspector of Police,
District Crime Branch,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.2086 of 2023

Date : 07/03/2023

RS//SAR-2 (15.03.2023) 2P 3C