



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 26/04/2023

PRESENT

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

CRL OP(MD) . No.7860 of 2023

V.K.Raja

... Petitioner/Sole Accused

Vs

State rep. by  
The Inspector of Police,  
Town North Police Station,  
Dindigul,  
(Crime No.80/2023).

... Respondent/Complainant

For Petitioner : M/s.Venkatesan.V.R,  
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.80/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 468, 471 and 420 of I.P.C., in Crime No.80 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has constructed house at No.66/3/1, Anna Nagar, Dindigul-1, without getting any permission from the Dindigul Corporation, Dindigul and he had encroached the place on the Scheme Road, Dindigul at Ward No.6, Block No.47, Town Survey No.27 and he had fabricated some bogus documents and he had obtained his housing loan by using the said forged documents. Hence, the case.



3.The learned counsel for the petitioner would submit that the petitioner did not avail any loan on production of any bogus documents. The petitioner has availed loan and thereafter, constructed a house. However, the writ petition filed by one Kumar, in which, the demolition was ordered. The house had been demolished. Aggrieved by the same, the petitioner has also filed a SLP petition before the Hon'ble Supreme Court. In fact, the Hon'ble Supreme Court also granted an order of status quo. Therefore, the custodial interrogation of the petitioner does not require and he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner has fabricated the patta planning permission, plan and other documents, as if, it was granted by the concerned authority and he had availed loan by using the said fabricated Government seal. Thereafter, he constructed the house. One Kumar filed writ petition in W.P.(MD)No.6778 of 2022, in which, the demolition was ordered. However, the Commissioner of Corporation, Dindigul, did not take any action and as such, the said Kumar filed a Contempt Petition in Cont.P.(MD)No.1052 of 2022 in W.P.(MD)No.6778 of 2022. As per the order of this Court, on 03.01.2022 and 04.01.2022, the entire illegal construction was demolished and the same was reported before this Court. The entire building was constructed only on the strength of the fake documents. So far, the respondent identified only on the petitioner and hence, the custodial interrogation is very much required in this case.

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

6.Considering the seriousness and gravity of the offence and also the fact that the custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

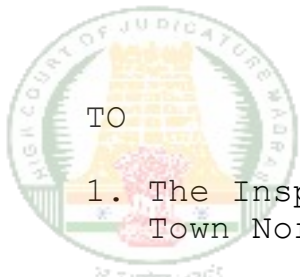
7.Accordingly, this Criminal Original Petition is dismissed.

sd/-  
26/04/2023

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/05/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

sj i



CRL OP(MD).



23

TO

1. The Inspector of Police,  
Town North Police Station, Dindigul.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7860 of 2023

Date : 26/04/2023

NA/MMS/SAR-2/17.05.2023/3P/3C