



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

Date : 04/05/2023
PRESENT

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The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.8514 of 2023

1. Pradi,
2. Prakash,
3. Subbulakshmi, ... Petitioners/Accused 1 to 3

Vs .

The State rep.by
The Sub Inspector of Police,
District Crime Branch
Thiruchirapalli.
(Crime No.7 of 2023).

... Respondent/Complainant

For Petitioners : Mr.SHANMUGARAJA SETHUPATHI.D,
Advocate.

For Respondent : Mr.S.MANIKANDAN,
Government Advocate (Crl.Side)

For intervenor : Mr.B.JAMEELARASU, Advocate

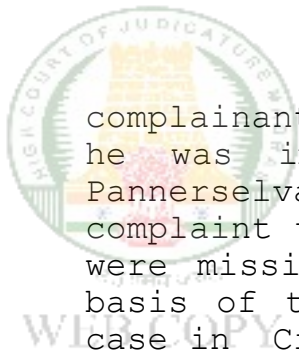
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.7 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 419, 420, 467, 468, 471 and 120B of I.P.C., in Crime No. 7 of 2023, seek anticipatory bail.

2. The case against the petitioner is that A1 with the help of the other accused fabricated a false sale deed, dated 18.07.2022 as if the sale deed was executed by one Pannerselvam / the defacto



complainant The signature of the defacto complainant was found and he was impersonated by A4, whose name also happened to be Pannerselvam. A2 and A3 stood as witnesses. A4 already gave a complaint to Manapparai Police Station, as if the original documents were missing and he obtained a non tracable certificate. On the basis of that certificate, the false sale deed was registered. A case in Crime No. 7 of 2023 was registered against the petitioners.

3. On the side of the petitioners, it is stated that the first petitioner is an innocent purchaser, he approached the real estate broker/agent who introduced one Panneerselvam as the owner of the property. The first petitioner verified all the documents, including Aadhar card, PAN card of the proposed seller. The first petitioner was informed that the original document was misplaced and a police complaint was registered and the Inspector of Police has issued a certificate that the documents could not be traced out. After verifying the Aadhar card and PAN card, the first petitioner purchased the property, for valuable consideration. The petitioners 2 and 3 stood only as witnesses to the sale deed. The petitioners 2 and 3 were not aware of the genuineness of the sale transaction. Since the defacto complainant interfered the possession of the property, the first petitioner filed a suit in O.S.No.561 of 2022 against the defacto complainant. The first petitioner is suffering from renal failure and he is taking regular haemodialysis since 2020, in Maruthi Hospital, Tennur, Trichy and prayed the petitioners to be released on anticipatory bail.

4. On the side of the intervenor, it is stated that the accused have created forged Aadhar card and PAN card and A4 has filed a complaint as if the original sale deed was missing and he got a non tracable certificate. The property is worth about more than 4 ½ Crores. The defacto complainant is 67 years old. A civil suit was filed only for injunction and the original Aadhar card, sale deed are available only with the intervenor and prayed the petition to be dismissed.

5. On the side of the prosecution, it is stated that totally five accused involved in this case. The original name of A4 is Kumar and he created bogus Aadhar card and PAN card in the name of Pannerselvam and with the help of those documents, he filed a false complaint before the police, as if his original document was missing and he obtained a non tracable certificate. With the help of the above documents, he sold the property to the first petitioner. The petitioners 2 and 3 are aware of all this facts and they have signed the sale deed as witnesses. A4 was arrested and he is still in custody. The police has addressed the Delhi authorities (UIDAI Regional Office) to verify the genuineness of the Aadhar card and prayed the petition to be dismissed.

6. Considering the serious allegations levelled against the petitioners and considering the fact that the co-accused is still in custody, the petition is dismissed.



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custody, this Court is not inclined to grant anticipatory to
the petitioners Hence, this Petition is dismissed.

sd/-

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

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TO

- 1 THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH
THIRUCHIRAPALLI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to SHANMUGARAJA SETHUPATHI.D Advocate SR.No.7200

ORDER

IN

CRL OP(MD) No.8514 of 2023

Date :04/05/2023

SA/VS/SAR.3/09.05.2023/3P/4C