



CRL OP(MD)No.18741 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.10.2023

PRESENT

The Hon'ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.18741 of 2023

Anandan Subburaj

... Petitioner/ Accused 7

Vs

The State rep.by
The Inspector of Police,
City Crime Branch,
Tirunelveli City.
(Cr.No.19 of 2023)

... Respondent/ Complainant

S.Murugan,

... Intervening Petitioner/Prposed 2nd Respondent/
De-facto Complainant

In Crl.MP(MD).15152/2023 in Crl.OP(MD).18741/2023

For Petitioner : Mr.R.R.KANNAN, Advocate

For Respondent : Mrs.M.AASHA,
Government Advocate(Crl.side)

For Intervenor : Mr.R.J.KARTHICK, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.19 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the



CRL OP(MD)No.18741 of 2023

offences punishable under Sections 465, 467, 468 & 471 IPC in Crime No.19 of 2023 on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that the defacto complainant is the owner of the property in S.No.1084, 1096, 1068/2. A1 executed sale deed in favour of one Vallikannu for extent of 51.5 cents by creating forged documents. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner being Sub-Registrar, without knowing that the document produced by other accused is forged one, registered the same. Hence, he seeks anticipatory bail.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation of this case is not yet completed.

5.The learned counsel appearing for the intervenor would submit that the property in question comes under Melapalayam jurisdiction. On 04.01.2021, the intervenor filed an application for objection along with relevant documents. The petitioner herein on 29.11.2022 wrote a letter to the jurisdictional Sub-Registrar as to any objection petition is pending. The jurisdictional Sub-Registrar also sent a letter dated 30.11.2022 regarding the pendency of the objection proceedings. Even thereafter, the petitioner herein registered the forged document produced by other



CRL OP(MD)No.18741 of 2023

WEB COPY

accused. Therefore, the petitioner herein is main accused and if anticipatory bail is granted to him, it will affect the progress of the investigation and hence, he strongly objected to grant anticipatory bail to the petitioner.

6.On perusal of records, it is noticed that the property in dispute is not within the jurisdiction of the petitioner herein. It is also not in dispute that the petitioner herein received information from the jurisdictional Sub-Registrar about the objection given by the intervenor with regard to the registration of document in respect of the property in question. However, the petitioner registered the document. Therefore, this Court finds no ground to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
20/10/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

1 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CRL OP(MD)No.18741 of 2023

WEB COPY

+1 CC to M/s.RR.KANNAN, Advocate (SR-15566[I] dated 20/10/2023)

ORDER
IN
CRL OP(MD) No.18741 of 2023
Date :20/10/2023

SA/DD/SAR. /17.11.2023/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.