



CRL OP(MD). No.22540 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.22540 of 2023

E.Selvaraj

... Petitioner/ Accused(Rank not known)

Vs

The Inspector of Police,
City Crime Branch,
Tirunelveli City.
(Crime No.25 of 2023).

... Respondent/Complainant

For Petitioner : Mr.Balaj.S,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 25 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 419,465,467,468 and 471 of IPC in

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Crime No.25 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant owns property in Plot Nos.35,36 and 37 in S.No.753/1 and 754/1 at Kulavanikarpuram Village, Tirunelveli . The accused 1 to 3 have created forged aadhar card in the name of the defacto complainant and executed a settlement deed in favour of one sugumar and registered the same at Melapalayam Sub Registrar officer vide document No. 5597/2023 dated 23.06.2023 by impersonation in respect of the above said property. Further the said Sugumaran has executed a general power of attorney deed in favour of the third accused vide document No.9078/2023 and by using the forged documents the third accused have sold one of the property in Plot No.35 to the fourth accused and the same was registered vide document No.9168/2023,hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the name of the petitioner does not found place in the First Information Report and only based on the confession given by the co-accused this petitioner has been implicated as an accused. Hence he seeks anticipatory to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submitted that all the accused persons joined together and created forged documents and executed sale deeds, hence he objected to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner is the person who arranged forged aadhar card and other documents and created forged settlement deed in favour of one Sugumaran and he executed settlement deed as though he is the son defacto complainant and further the Sugumaran gave power deed to Thangavel vide document No. 9078/2023 and in pursuance to the power deed he executed sale deed in favour of one Murugan vide document No. 9168/2023 dated 11.10.2023 for that the petitioner herein has arranged all the forged documents, hence custodial interrogation of the petitioner is very much required in this case, hence this Court is not inclined to grant anticipatory bail to the petitioner.

6. In view of the same, the petition stands dismissed.

sd/-
14/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



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TO
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- 1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.22540 of 2023
Date :14/12/2023

SS/DD/SAR- /21/12/2023/4P/3C

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