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Crl.O.P.Nos.853,856 and 860 and of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A1 and A2 in Crl.O.p.No. 853 of 2024, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120B,468,471 and 109 of I.P.C in Crime No.1 of 2024, seeks anticipatory bail.

2.The petitioner/A3 in Crl.O.p.No. 856 of 2024, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120B,468,471 and 109 of I.P.C in Crime No.1 of 2024, seeks anticipatory bail.

3.The petitioner/A4 in Crl.O.p.No. 856 of 2024, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120B,468,471 and 109 of I.P.C in Crime No.1 of 2024, seeks anticipatory bail.



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4. It is the case of the prosecution that the defacto complainant, is the owner of the property at Nasuvanpalayam village, Erode at Survey No.63 Re-Survey No.63/10 A, measuring 8105 sq feet of vacant land. The title holders of the afore mentioned property are still alive. They had initially granted a power of attorney to the said lands to A1. A2 is the mother of A2. A1 had executed an agreement of sale to A2. On 19.12.2022 that particular agreement of sale was cancelled and on the very same day and on 19.12.2022, the property was sold to A4. Since the agent had executed the sale deed on behalf of the principals, it required a life certificate to be issued that the principals are still alive on the date of execution and the same should be produced before the Sub Registrar Office. The life certificate was issued certifying that A1 and A2 had been physically seen. This certificate was issued by A3. This certificate will have to mention appearance of the Principal/defacto complainant and it should also contain the recent photograph of the persons concerned. Unfortunately the photograph in the certificate was the photo which was taken at a young age of the defacto complainant and the signature was



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also a forged one. However, A3/ Doctor has issued a life certificate.

5. On the basis of this particular life certificate, the property had been sold to A4. The learned counsel for the petitioner stated that the power of attorney had been cancelled. The reasons for cancellation need not been strictly elaborated. Therefore, the cancellation of power of attorney was the correct step taken by the defacto complainant to ensure that atleast no further damage or transactions are carried out over the property. Thereafter, they had lodged a complaint.

6. It is stated that originally they had lodged a complaint before another police station where enquiry was conducted. Today while examining whether *prima facie*, the petitioners are entitled for grant of anticipatory bail, the forged signature and the forged photographs prevail upon this Court to dismiss the application.

7. It must be stated that there is a representation on behalf of the defacto complainant who had also stated that he had filed an intervening application to intervene in the matter. Since, the learned counsel appearing for the petitioner has insisted on dispose of the



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matter, the matter was taken up today.

7. In view of the above, I am not inclined to grant anticipatory to the petitioners. Hence, these Criminal Original Petition stands dismissed.

08.02.2024

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