



Crl.O.P.No.5703 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 409, 420, 468, 471, 204 IPC r/w 34 of IPC and 13(1)(C) of POC Act in Cr.No.4 of 2023, seeks anticipatory bail.

2. Totally there are four accused in this case and the petitioner rank is not known. The case of the prosecution as per the defacto complainant is that the complaint given by one C.Sendhil Kumar, Director of Survey & Land Records, Puducherry, alleges that the petitioner and other accused persons have created false and fabricated documents with dishonest intention. They utilized these documents as genuine and submitted the report to the Settlement Officer with intention to grab the property of Balasundara Vinayagar Loil, Korkadu. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this



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case. He further submits that the petitioner's wife and three others were purchased the property from the original owner Bangaru Reddiar. He further submits that the petitioner's wife purchased the land from the legal heirs of the original owner and the only issue is that the patta has been wrongly uploaded in the settlement records in the name of petitioner's family temple. He further submits that without issuing any notice to the petitioner, he was falsely implicated in this case. He further submits that A1 was arrested and based on his confession, the petitioner has been implicated as an accused in this case without any proper enquiry and he is no way connected with the above offence. Hence, he prays for the grant of anticipatory bail to the petitioner.

4. Learned counsel for the Intervener submits that without issuing any notice to the temple the enquiry was conducted fraudulently by colluding with Balaji, the settlement officer obtained erroneous order by obtaining patta in her name by cancelling the patta stands in their name. Hence, he opposed for the grant of anticipatory bail to the petitioner.



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5. Learned Public Prosecutor (Puducherry) appearing for the respondent submitted that the enquiry was conducted in the year 2003 and it was ended in the year 2015 bearing the title of the temple Balasundara Vinayagar Koil Temple, Korkadu. He further submits that one Balaji, Settlement Officer, has cancelled the patta, which stands in the name of the temple and granted it in favour of private individuals including this petitioner. He further submits that no notice was served to the temple but the enquiry conducted by Balaji was erroneous. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts of the case and also the fact that he is the main person, who suppressed the earlier proceedings of the Settlement Officer and obtained the order and on seeing the conduct of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

17.04.2024

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