



CrI.O.P.No. 15585 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.05.2024 for the alleged offence under Sections 419, 465, 468, 420 of I.P.C. in Crime No. 43 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant has purchased the land in No.57, Puthagaram Village, Lakshmiann Nagar in Plot No.205 to an extent of 1800 sq.ft. in the year of 1991 and thereafter, she went to America with her sons and when she returned to her native place, she came to know on verification of encumbrance certificate that her land was fraudulently sold to third party. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has been falsely implicated in this case as if he was only a mediator in the alleged sale. Now, the sale deed was cancelled by the District Registrar in the year of June 2022 and F.I.R. was registered in the month of December 2022 for



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the case of fake sale deed executed by fabrication of records by way of impersonation and now all the accused were released on bail. He would submit that he is no way connected with the case and he has not at all committed any offence as alleged by the respondent police and he was not present at the scene of occurrence and now all the accused were released on bail. He would submit that the investigation is almost completed and he would abide by any condition that may be imposed by this court and he is in judicial custody from 31.05.2024 for more than 32 days. Hence, he prayed to grant bail to the petitioner.

4. The learned counsel for intervenor raised objections stating that on receipt of notice from District Registrar, only he came to know that the property was sold to him by way of forgery and impersonation. Subsequently, the said sale deed was cancelled by the District Registrar on the basis of complaint given by original owner. He would submit that he purchased the said property from and out of hard-earned money and also by availing loan.

5. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is the master-mind in creating



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documents by way of impersonation. Except this petitioner, all the accused were released on bail. He would submit that there are four previous cases similar in nature pending against him. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence committed by the petitioner on conspiring with other accused created fake sale deed on production of fabricated records by way of impersonation, which needs detailed investigation and at this stage, if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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