



Crl.O.P.No.25676 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A5 in Crime No.64 of 2023 registered by the respondent police for the offences punishable under Sections 465, 468, 471, 419 and 420 of IPC seeks anticipatory bail.

2. It is the case of the prosecution that the accused persons holding out an impression that they are selling the property approached the defacto complainant who is doing real estate business. The defacto complainant agreed to purchase the property offered and paid a sum of Rs.30,00,000/- as an advance on 13.07.2022. MOU was also entered into. It is stated that the accused persons, claimed that they had lost the documents of title and obtained Non Traceable certificate issued by the Station Officer,Ayanavaram Police Station, Chennai. Thereafter, A1 and A2 acted as the impersonators and on the basis of such impersonation with the active help of A3 and A4, the property was sold to the defacto complainant for a total consideration of Rs.1.05 crores.

3. It is the contention of the petitioner herein that the petitioner had



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been detained under Tamilnadu Act 14 of 1982 and therefore, the contention of the respondent that he had met the defacto complainant is not correct.

4. However, a counter has been filed and the learned Government Advocate (Crl.Side) wherein it is stated that the petitioner was the master mind in the entire transaction and it is stated that even though he had been arrested and detained under Tamilnadu Act 14 of 1982, still he had directed the entire impersonation and execution of document to be conducted. It is therefore stated that the identity of the impersonators will have to be found out and for this interrogation of the petitioner is very much crucial.

5. The learned counsel for the petitioner also forwarded the order of Principal Sessions Court at Chengalpet dated 25.01.2023 granting bail to the petitioner herein in Cr.No.55 of 2022 registered under offences under Sections 302 and 307 of IPC. It is therefore contended that the petitioner was under custody and could not have participated in the entire



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offence. Those are aspects which can be determined only during the course of investigation and that can be done only when the petitioner is interrogated by the respondents.

6. In view of the above facts, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

Vv

22.01.2024

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