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CrI.O.P.No.28362 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

CrI.O.P.No.28362 of 2024

Sachi @ Renuga

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Karaikal Town Police Station,
Puducherry District.
(Crime No. 169 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleaded to enlarge the petitioner on bail, in Crime No.169 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.N.Sivagurunathan

For Respondent : Mr.K.S.Mohandoss,
Public Prosecutor, Puducherry

ORDER

The Petitioner, who was arrested and remanded to judicial custody
on 03.09.2024, for the alleged offences punishable under Sections 420, 468,



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471, 473 read with 34 of IPC in Crime No.169 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant, the Deputy Collector (Revenue)-cum-Sub Divisional Magistrate, Karaikal, is that in-between from 09.01.2023 to 20.05.2024, a land belongs to Sri Parvatheeshwarar Swamy Devasthanam, near Jipmer Campus, Karaikal, some unknown accused persons in furtherance of common intention, fraudulently created a fabricated forged document affixed with the forged signature of the complainant with Government Office seal and the same was showed to the general public as genuine one for assignment of Market Value, and collected money and thereby cheated the general public. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner originally worked as Deputy Surveyor at Karaikal Municipality, and she was brought to the post for Deputy Surveyor at Karaikal branch office with additional charge, by the accused Johnson, who is the Deputy Collector (Revenue). On his



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instruction, she prepared a outline sketch of the Temple, and a huge amount was collected by issuing a fake patta signed by the Deputy Collector (Revenue). She has not committed any offence as alleged in the FIR and the co-accused was also released on bail. He also submitted the petitioner is in custody from 03.09.2024, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police opposed for granting bail to the petitioner stating that the petitioner along with other accused persons and with common intention, had fraudulently created fabricated and forged patta documents for the land owned by Shri Parvatheeshwarar Swamy Devasthanmam, by forging the signature of the Deputy Collector (Revenue) with a forged Government seal. These documents were shown to the general public at market value, resulting in the collection of a huge sum of money from them, thereby cheated the general public. He further submitted that during the course of investigation, it was revealed that the victims approached the accused person, who fraudulently received an amount of Rs.1,87,80,000/- from them for the purpose of sale, and she has also repaid the partial amount of Rs.29,50,000/- to the victims with the intention of preventing them from lodging the



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complaint against the accused. Hence, he prayed for dismissal of the petition.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the representation made by both side counsel, nature of offence, and considering the period of incarceration undergone by the petitioner from 03.09.2024, and already the police custody was also taken, even according to the prosecution all the offences are borne out of records and there is no chance of tampering the evidence, co-accused was released on bail, and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Court No.I, Karaikal, and on further conditions that:-

[a] the petitioner shall report before the Orleanpet Police Staion,



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Puducherry, daily at 10.30 a.m, except on Sundays. On Sundays, the petitioner shall appear before the respondent police station at 10.30 a.m, until further orders.

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered



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under Section 269 B.N.S.

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drl

To

- 1.The Judicial Magistrate No.I,
Karaikal.
- 2.The Inspector of Police,
Karaikal Town Police Station,
Puducherry District.
- 3.The Superintendent,
Central Special Prison for Women,
Puducherry.
- 4.The Public Prosecutor,
Puducherry.

P.DHANABAL, J.

drl



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