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Crl.O.P.No.28632 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120(B), 420, 465, 468 & 109 of IPC, in Crime No.7 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant lodged complaint stating that she was residing at Pondicherry, her husband executed settlement deed in the year 2013 in favour of her for the property Karthikeya Oil Mill and godowns in the year 2013 and the said properties were looked over by her father-in-law Jambukeswaran and he expired in the year 2022; while he was alive, he has borrowed Rs.15 lakhs from one Velavan through bank transaction, in this connection, he executed loan document in favour of the said Velavan, since her father-in-law do not have any right over the property, the Velavan and others joined together to grab the defacto complainant's properties; that they prepared such loan document and tenancy agreement and the tenants are insisting the defacto complainant to settle the



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loan amount borrowed by her father-in-law for vacating the premises. On the other hand, the said defacto complainant is forged woman; she forged so many documents; that actually the properties are owned by the said Jambukeswaran and his father-in-law Viswanantha Chettiar; that only in the year 2013, the said Jambukeswaran's son J.Karthikeyan executed settlement in favour of his wife, i.e. the defacto complainant and the same was registered as Document No.3541 of 2013 dated 10.06.2013, in that settlement deed, it is mentioned that 10 years back, the said Jambukeswaran was missing and it is admitted that Jambukeswaran is the owner of the said property.

3. A piece of land measuring 4000 sq.ft. claims to be the property of the father-in-law of the defacto complainant. After the death of the father-in-law of the defacto complainant, the first accused has settled Rs.15 lakhs which is said to have been borrowed by the father-in-law of the defacto complainant. Thereafter, many people have started coming as if the father-in-law of the defacto complainant has borrowed money as a loan, in respect of the said property which ended a suspicion referring the matter to the police. On the preliminary investigation by the RTI, it came to light that a non-judicial stamp paper valued Rs.20/- is said to have been issued in the year 2018 by District Treasury. However, the document is typed as if it is entered



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into between the parties in the year 2017.

4. By order dated 21.09.2023, this Court, taking note of the facts and circumstances of the case, has dismissed the anticipatory bail petition to the petitioner. This is the second anticipatory bail petition filed by the petitioner.

5. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with other accused have created a document as if the document is of the year 2017, while the very same non-judicial stamp paper said to have been issued from the District Treasury only in the year 2018.

6. After perusing the earlier order and the overtact against the petitioner, this Court finds that there is no change of circumstances.

7. Hence, this Criminal Original Petition is dismissed.

21.02.2024

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