



WEB COPY



Crl.O.P.Nos.27050 & 27515 of 2023

C.V.KARTHIKEYAN, J.

The petitioners/A3 & A5 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 406, 420, 468, 471, 365, 368 and 506(i) of IPC in Crime No.20 of 2023 on the file of the respondent, seek anticipatory bail.

2.A3 has filed Crl.O.P.No.27050 of 2023 and A5 has filed Crl.O.P.No.27515 of 2023.

3.The First Information Report had been registered on directions given by the learned Judicial Magistrate – VI Coimbatore in a petition filed under Section 156(3) of Cr.P.C.

4.The entire issue surrounds the property measuring 6.23 acres at Talaiyur Village, Coimbatore. Originally, the said land belonged to the



father of the defacto complainant. He had executed a settlement deed in favour of the defacto complainant. He probably expected that the defacto complainant would retain the same. But it appears that the land had been sold to a third party without the knowledge of the father. This brought about sourness in the relationship between the father and the defacto complainant.

5. Taking advantage of this fact, A1 who is said to be an aunt of the defacto complainant falsely stated that a FIR had been registered against him and that to settle all issues, he must pay money. Accordingly, he parted with the sale consideration, which was in his possession and amounting to Rs.4.20/- crores. He also went into hiding. Thereafter, it is stated that A2 who was a builder entered into the picture and A3 / petitioner in CrI.O.P.No.27050 of 2023 who is the wife of A2 had started to deal with the property. Later, the defacto complainant had disclosed all the facts to his father. At that particular point of time, it is stated that A1 had returned back a sum of Rs.1.69/- crores.



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6. Thereafter, they had created a forged document as if signed by A1 and the defacto complainant and as if a further sum of Rs.1.50/- crores had been paid back to the defacto complainant. That was the immediate cause for the lodging of complaint and Registration of First Information Report. But the further fact is that, the other accused including A5 / petitioner in CrI.O.P.No.27515 of 2023 had committed a further offence under Section 506(i) IPC.

7. Though it is contended that A3 is only the wife of A2 and A5 is a friend of A2 and they were not directly involved in the preparation of forged documents, it is pointed by the learned counsel for the defacto complainant that Section 120(B) is also included as one of the offences and therefore, each one of the accused are alleged to have conspired to cheat the defacto complainant out of his valuable money.

8. It is also seen that before the Sessions Court all the accused had filed anticipatory bail applications but before this Court as a pick and



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choose method only two of the accused had filed application. This attitude cannot be encouraged.

9.Observing as above, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, these Criminal Original Petitions stand dismissed.

27.02.2024

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