



Crl.O.P.No.27458 of 2023

Crl.O.P.No.27458 of 2023

WEB COPY

RMT.TEEKAA RAMAN, J.

The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120 B, 465, 468, 471 and 420 IPC in Crime No.208 of 2023, seek anticipatory bail.

2.The case of the prosecution in brief is that the 2nd and 3rd Petitioners represented that they are majors and they executed the sale deed in favour of the defacto complainant and subsequently, they have filed O.S.No.3429 of 2012 on the file of the IV Assistant City Civil Court, Chennai by alleging that, on the date of execution of the sale deed in favour of the defacto complainant, the 2nd and 3rd Petitioners herein Viz., Anwar and Rahima Bee are only minors and were studying in the school and hence, the sale deed is void ab initio and the sale has to be declared as null and void and the suit has to be contested, wherein they have produced the school transfer certificate alleged to have been issued by the Ellapuram Panchayat Middle School in Vadamadurai, Thiruvallur District from 1996-1999.

3.Based upon the said document, the Court has decreed the suit and



Cr1.O.P.No.27458 of 2023

held that the Petitioners/A2 & A3 herein (now major) are entitled for 2/5th share in the partition suit. An appeal is also filed and the same was dismissed. Further, Second appeal in S.A.No.33 of 2023 said to have been filed and pending before this Court. On obtaining the RTI from the said school, it came to light that the said certificate showing the 2nd & 3rd Petitioners as minor is bogus and fraudulent and never been issued by their school. Hence, the complaint.

4.The learned counsel for the Intervenor would contend that the Petitioners herein Viz., ShabeerBasha, H.Anwar and H.Rahima Bee and their family members have fraudulently sold the land and building in 2005 and produced a fake certificate similar to that of the Ellapuram Panchayat Middle School in Vadamadurai dated 09.06.1999, stamped the government school seal as fake and produced the same before the Civil Court, which is marked as Ex.P.6. The Court without going into the genuineness of the case has passed the decree in their favour.

5.Learned Government Advocate (Crl. side) would submit that this is



Crl.O.P.No.27458 of 2023

a second anticipatory bail Petition and this Petitioner has already filed a Petition seeking anticipatory bail in Crl.OP.No.20286 of 2023 before this Court and this Court by order 13.09.2023, dismissed the same.

6.Heard the learned counsel for the Petitioner and the learned Government Advocate (Crl. side) appearing for the Respondent Police and the learned counsel appearing for the intervener.

7.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the fact that this Court has already dismissed the first anticipatory bail Petition filed by the Petitioner and there is no change of circumstances, I am not inclined to grant anticipatory bail to the Petitioner.

8.Accordingly, this Criminal Original Petition is dismissed.

06.02.2024
(¹/₂)

sai



WEB COPY



Crl.O.P.No.27458 of 2023

RMT.TEEKAA RAMAN, J.

sai

Crl.O.P.No.27458 of 2023

06.02.2024

($\frac{1}{2}$)



Crl.O.P.No.27458 of 2023

WEB COPY

Crl.M.P.No.19404 of 2023
in
Crl.O.P.No.27458 of 2023

RMT.TEEKAA RAMAN, J.

Permission to intervene allowed.

06.02.2024
(2/2)

sai