



CRL OP(MD).No.6129 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Jeyakumar

2. Archunan

... Petitioners/ Accused No.1&2

Versus

The State represented by
The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
Crime No.27 of 2024

... Respondent/Complainant

For Petitioners : Mr.C.Senthil Murugan
Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.27 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.27 of 2024, for the offence under Sections 406, 409, 420, 467, 468 and 471 IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused persons cheated the defacto complainant to the tune of Rs.56,00,000/- by creating forged documents.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, this case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that one Gnanapragasam was running a partnership establishment in the name of Tamilnadu Velanmai Kootupannai (LLP) and he proposed to purchase a land in Ramanathapuram District for agricultural purpose and therefore, he approached the first petitioner through one Ramesh. The first petitioner showed a land at Bogalur



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Village, comprised in Survey No.378 to 297 and 450 to 412, for which, sale consideration was fixed as Rs.1,20,000/- per acre and thereby, the first petitioner received a sum of Rs.5,00,000/- and an agreement was also entered between them on 06.02.2022. Thereafter, the petitioners 1 and 2 along with another person had registered 57 acres and 2 $\frac{3}{4}$ cent in favour of the said Gnanapragasam, who insisted them to remove the Seemaikaruvelai trees from the said land and asked to make arrangements to register the rest of the land. While the trees were being removed, the original owners of the land picked up quarrel and lodged a complaint. Therefore, the said Gnanapragasam cancelled the registration of lands in respect of 9 acres and 23 cents. The petitioners also agreed to register some other lands for the cancelled registration and they also registered 1 acre and 43 cents of land on 19.01.2023. When the said Gnanapragasam tried to mutate the documents in his favour after the registration, he found that except 30 acres, the rest 19 acres and 27 $\frac{3}{4}$ cents were sold to him by creating fabricated documents and by impersonation and he was cheated by the petitioners.

5. The learned Government Advocate (Crl. Side) further submitted that after registering this case, the Investigating Agency has visited the concerned Sub Registrar Office and also collected the CCTV footage recorded in the Sub Registrar



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Office. When the Investigating Agency checked the CCTV footage, he found that the petitioners were present along with the defacto complainant while registering the land documents.

6. Considering the rival submissions made, this Court, by earlier order dated 22.04.2024, granted interim anticipatory bail to the petitioners enabling them to appear before the respondent Police for enquiry. The petitioners were also directed to co-operate with the respondent Police for enquiry.

7. Today, the respondent Police has filed a report stating that the petitioners did not appear for enquiry. A detailed report has also been filed as to the role played by the petitioners.

8. A perusal of the report would reveal that there are some materials as against the petitioners that they have cheated the defacto complainant by impersonation. It is also stated that the investigation is in crucial stage.

9. Since the investigation is in crucial stage, the grant of anticipatory bail to the petitioners would affect the course of investigation. Therefore, this Court is not



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inclined to grant anticipatory to the petitioners.

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10. Accordingly, this Criminal Original Petition is dismissed with a direction to the respondent Police to secure the accused.

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11/06/2024

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/06/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1. The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.6129 of 2024
Date :11/06/2024

RK/VR (27/06/2024) 5P / 3C
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