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CRL O.P. No.988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2025

CORAM

The Hon'ble Mr. Justice P.DHANABAL

CRL OP.No.988 of 2025

P. Anandakumar @ JCP Anand ... Petitioner / Accused
Vs

State rep. by:-

The Station House Officer,
Town Police Station,
Karaikal District. ... Respondent / Complainant.
[Cr. No.169 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 483 of
B.N.S.S., praying to grant bail to the petitioner/Accused in Cr. No.169 of
2024 on the file of the respondent police.

For Petitioner : Mr. S. Vinoth Kumar

For Respondent : Mr. M.V. Ramachandra Murthy,
Additional Public Prosecutor,
assisted by
Mr. M. Thamizhmani
Government Advocate (Pondy).

ORDER



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The petitioner / Accused, who was arrested and remanded to judicial custody on 04.12.2024 for the offences punishable under Sections 420, 468, 471, 473 read with 34 of IPC in Cr. No.169 of 2024 on the file of the respondent police, seeks bail.

2. The Deputy Collector (Revenue)-cum-Sub Division Magistrate, Karaikal lodged a complaint stating that between 09.01.2023 and 25.02.2024, some unknown persons, in furtherance of common intention, have fraudulently fabricated the documents affixed with the forged signature of the defacto complainant with Government official seal projecting that the vast extent of land belongs to Sri Paarvadheeswarar Swamy Devasthanam near JIPMER Hospital, Karaikal has been converted into the house sites by the Government itself and the housing plots are being assigned to the general public on market value and the documents were shared by online in social media and huge amount from the general public are being collected and to prevent the general public being cheated, the defacto complainant has requested for necessary legal action against the culprits. Thus, the respondent police have registered the present case and the investigation reveals that the



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petitioner herein has allegedly enticed several persons in Karaikal by showing the forged and fabricated documents and collected huge amount. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable under Sections 420, 468, 471, 473 read with 34 of IPC and he was arrested and remanded to judicial custody on 04.12.2024. As per the case of the prosecution, the alleged occurrence took place between 09.01.2023 and 25.02.2024, for which, the defacto complainant has lodged a complaint on 03.09.2024. In fact, the petitioner is an innocent and he is no way connected with the commission of offences. The petitioner is doing real estate business. As requested by one of the accused Karthi, a practising Advocate, the petitioner referred some buyers to purchase the properties and he received only commission and he is not aware of any fabrication of documents. Some of the co-accused were released on bail. The petitioner is in judicial custody for the past more than one month. Therefore prayed to grant bail to the



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petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is a prime accused in this case. The confession statements of the co-accused revealed that the petitioner has collected money from the beneficiaries and created fake documents and used as genuine documents along with the co-accused and swindled the temple properties. Hence, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of offences, the custodial interrogation of this petitioner was already over, the incarceration period of the petitioner from 04.12.2024 and co-accused were already granted bail, I am inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten



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Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate Court No.1, Karaikal** and on further conditions that:

[b] the petitioner shall report before the jurisdictional Magistrate concerned, on all working days at 10.30 a.m. until further orders.

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

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

[e] 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 or tamper with the evidence;

[f] 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



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

30.01.2025

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
mjs

P.DHANABAL,J

mjs

To

- 1.The Judicial Magistrate Court No.1, Karaikal
- 2.The Public Prosecutor, Puducherry.
3. The Public Prosecutor, Madras High Court, Chennai.
- 4.The Station House Officer, Town Police Station, Karaikal.
5. The Sub Jail, Karaikal.



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