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Crl.O.P.No.12315 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12315 of 2025

Sridhar.S

... Petitioner/A9

Vs.

State Rep. by
The Inspector of Police,
Land Fraud Investigation,
Wing-2, Gama-6, CCB-I,
Vepery, Chennai – 600 007.
(Crime No.26 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in Crime No.26 of 2024, pending investigation on the file of the Inspector of Police, Land Fraud Investigation, Wing-2, Gama-6, CCB-I, Vepery, Chennai – 600 007..

For Petitioner : M/s.Vedavallikumar

For Respondent : Mr.Leonard Joseph Selvam
Government Advocate
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.04.2025 for the offences punishable under Sections 419, 420, 465, 467, 468,

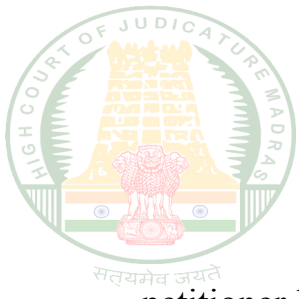


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471 r/w 34 of IPC, in Crime No.26 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that first accused one Mr.T.Rajasekar impersonated as the owner of the property viz., Tmt.Rukmani Devi and created a fake documents and executed a forged power of attorney in Doc. No.1058 of 2019 daatd 27.09.2019, Chennai Central Joint 1, SRO Triplicane; based on the forged power of attorney, first accused has sold the property to A2 and A3 in Doc.No.106 of 2020 dated 31.01.2020; A3 and A4 immediately mortgaged the property in Doc.No.107 of 2020 dated 31.01.2020 in favour of HDFC Bank and received the loan amount of Rs.3,03,28,286/- and cheated the defacto complainant. Hence, the complaint.

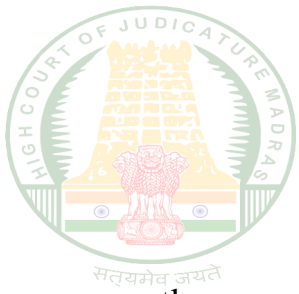
3. The contention of the learned counsel for the petitioner is that the respondent Police had arrested the petitioner primarily on the ground that he along with other accused created fake power of attorney by impersonating the original owner Rukmanidevi; the amounts which have been misappropriated and cheated from the Bank, admittedly received by A10 who is the petitioner's son. She further submitted that from the receipt of the amount, nowhere it is seen that



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petitioner had played any role on the transaction between A10 and other accused; A10, who is an independent person on his own. The petitioner is a Civil Engineer. He is running a construction business and business was not successful and his Company went into NPA as early as in 2005. The petitioner has nothing to do with the alleged offences and prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor had produced flow chart showing that originally one Rajalakshmi, wife of Rajaram holding the property in Document No.727/1955. The said Rajalakshmi sold the property to one Rukmani, the mother of the defacto-complainant. The said Rukmani died in the year 2019 leaving behind surviving legal heirs her husband, sons and daughters. Since, this being so, A2 has impersonated as Rukmani and created a Power of Attorney and using the power of attorney, A1 had executed a sale deed in Doc.No.106 of 2020 in favor of A3 and A4. In the said sale deed document, A5 and A6 have been witnessed. A3 and A4 had created a mortgage with the Housing Development Finance Corporation for a sum of Rs.3,53,28,286/- and for this mortgage document, A1 and A8 are the witnesses. The amount of Rs.2,92,00,000/- has been credited to the first accused one Rajasekar, thereafter , the same has been transferred to one Kumar and Shabeer and thereafter various



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other persons. In this case, two more accused have to be arrested and investigation is at the crucial stage and at this stage, the petitioner's contention cannot be confirmed, only after the arrest of the other accused, the veracity of the petitioner's contention will come into light. In this regard, collection of documents is under progress and strongly opposed for grant of bail to the petitioner.

5. The petitioner along with other accused have cheated the Bank to the tune of Rs.3,03,28,286/- and the petitioner's son A10 has received a major portion of the defraud amount through the petitioner and the investigation is at the crucial stage. In view of the same, this Court is not inclined to grant bail to the petitioner at this stage.

6.The Criminal Original Petition is accordingly dismissed.

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ep/rkp



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To

- 1.The Inspector of Police,
Land Fraud Investigation,
Wing-2, Gama-6, CCB-I,
Vepery, Chennai – 600 007.
2. The Public Prosecutor, High Court of Madras.



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M.NIRMAL KUMAR, J.

ep/rkp

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