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CrI.O.P.No.15477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.15477 of 2025

Manjunath

.....Petitioner/ A1

Vs.

The State rep by
The Inspector of Police,
Sipcot Police Station
Krishnagiri District
Crime No.35 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in connection with Crime No. 35 of
2025 on the file of respondent police.

For Petitioner : M/s.M.P.Saravanan

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (CrI.Side)



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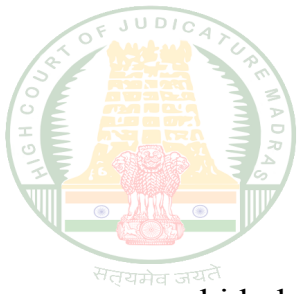
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.04.2025, for the alleged offences punishable under Sections 419, 420, 467, 468 of IPC in Crime No.35 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution that the subject property is a self acquired property of the defacto complainant's father measuring an extent of 2 acres 5 cents and he purchased the same vide sale deed dated 06.01.1981. It is alleged in the FIR that during the lifetime of defacto complainant's father, he allowed one Krishnamma to run a tea shop inside the premises. After her death, her brother Manjunath/petitioner herein, in order to grab the property, started illegal construction and with the help of co-accused, created fake documents and sold the subject property to third parties. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that he has not committed any offence as alleged by the prosecution. He would submit that the petitioner has been in judicial custody from 05.04.2025. He further submitted that the petitioner is ready to



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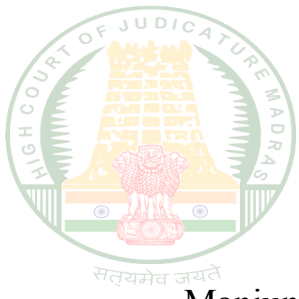
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abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are totally two accused in this case and this petitioner is arrayed as A1 and A2 is absconding. He would also submit that the petitioner with the help of co-accused impersonated one Rajendra as defacto complainant's father namely Deepak Bojani, created fake documents and sold the property to third parties and committed the alleged offence of cheating.

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

6. This petitioner is arrayed as A1. The defacto complainant is the original owner of the subject property. The subject property is the self acquired property of the defacto complainant's father measuring an extent of 2 acres 5 cents and he purchased the same vide sale deed dated 06.01.1981 in Document No.2522 of 1981. After defacto complainant's father's death, the defacto complainant used to maintain the subject property. During the life time of defacto complainant's father, he allowed one Krishnamma to run a tea shop inside the premises. After her death, her brother



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Manjunath/petitioner herein, in order to grab the property, started illegal construction work and with the help of co-accused, impersonated one Rajendra as defacto complainant's father namely Deepak Bojani and created forged general power of attorney in favour of petitioner as if the same were executed by defacto complainant's father. Thereafter, based on the general power of attorney deed, he executed a sale deed in favour of one Manivannan and Yashmith under sale deed dated 19.11.2022 and committed the offence of cheating.

7. Considering the submissions of the learned counsel on either side and also taking note of the gravity of the offence committed by the accused, this court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

21.05.2025

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Note:-

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- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

N.SENTHILKUMAR,J.

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