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CrI.O.P.No.15607 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.15607 of 2025

C.Selva Nagarajan

.....Petitioner/ A3

Vs.

The State rep by
The Inspector of Police,
Central Crime Branch, Land Fraud Investigation Wing-2,
Gama-4, Vepery, Chennai-600 007
Crime No.50 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.50 of
2025 on the file of respondent police.

For Petitioner : M/s.S.Karpagapriya
For Respondent : M/s.V.J.Priyadarsana
Government Advocate (CrI.Side)
For Intervenor :Mr.R.Lakshmi Narayan



Crl.O.P.No.15607 of 2025

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.04.2025, for the alleged offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 and 120(B) of IPC, in CCB Crime No.50 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the absolute owner of the subject property measuring an extent of 2840 Sq.feet situated in Balaji Nagar Layout in Plot NO.61, Madipakkam village, Sholinganallur Taluk. It is alleged in the FIR that A1 relying on a mortgage deed bearing Document No.1228 of 1965 as if it were genuine, fraudulently executed a forged settlement deed vide settlement deed bearing Document No. 4123 of 2020 dated 07.10.2020 in favour of one Ramesh Kumar/A2/Son of A1. Based on the settlement deed, the said Ramesh Kumar is said to have created a forged power of attorney in favour of petitioner herein/A3 vide Power Doc.No.4214/2020 dated 07.10.2020 thereby, the accused 1 to 3 have conspired to create a forged documents and engaged in fraudulent registration and unlawfully appropriated the property of the defacto complainant. Hence, the case.

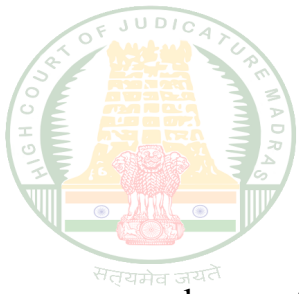


Crl.O.P.No.15607 of 2025

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner has no knowledge about the specific land details referred to by the de-facto complainant and he is the bonafide purchaser, who engaged in regular property transaction in and around his place of residence. He further submits that the petitioner paid an advance amount of Rs.10,00,000/- to one Balu and Rajesh Kumar, who in turn made payment to A2. Relying on these transactions, A2 executed General Power of Attorney in favour of the petitioner. Then only, the petitioner received a communication from the Registration Department that the said general power of attorney was forged. He also submitted the petitioner is an innocent person and he has not involved in any offence as alleged by the prosecution and he has been falsely implicated in this case. He also submitted that the petitioner has been in judicial custody from 25.04.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned counsel appearing for the intervenor submitted that the petitioner and other accused persons have conspired and fabricated the documents and deeds in order to grab the property of the intervenor and



Crl.O.P.No.15607 of 2025

WEB COPY

hence, the intervenor made a complaint before the District Registrar, South Chennai to cancel the fraudulent documents registered and the same is pending. Hence, he vehemently opposed to grant bail to the petitioner.

5. 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 four accused in this case and the accused persons/A1 to A4 conspired and fabricated the documents as if A1 purchased the subject property in the year 1965 thereby, executed a settlement deed in favour of A2 and thereafter, A2 executed a power of attorney in favour of A3/petitioner herein. He vehemently contends that A3, who consciously aware of being a power agent, without any right over the property, made all the attempts to sell the property to third parties. He also submitted that subject property is situated in highly commercial area and the same has been misused by creating forged documents.



Crl.O.P.No.15607 of 2025

WEB COPY

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

7. Considering the submissions of the learned counsel on either side and also taking into account the fact that the subject property is situated in highly commercial area and the same has been misused by creating forged documents and also taking into account the heinous nature of offence, this court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

21.05.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 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.**



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Crl.O.P.No.15607 of 2025

N.SENTHILKUMAR,J.

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Crl.O.P.No.15607 of 2025

21.05.2025