



CRL.O.P.No.9094 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.04.2026

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.9094 of 2026

Mani @ Manikandan, M/a. 49 years,
S/o.Sugunraj,
Life Convict PID No.4954,
Now confined in Sub Jail Yanam,
Puducherry.

... Petitioner

vs.

State by
Inspector of Police,
Odiansalai Police Station,
Puducherry,
Crime No.101 of 2017.

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned III Additional District Judge, Puducherry to expedite the trial in the stipulated time fixed by the Court in the case pending trial in S.C.No.21 of 2019 in Crime No.101 of 2017 on the file of the respondent Police.



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For Petitioner : Mr.R.Thamarai Selvan
For Respondent : Mr.M.V.Ramachandra Murthy,
Public Prosecutor, Puducherry

ORDER

The petitioner/A11 in S.C.No.21 of 2019 facing trial for offence under Sections 420, 120(B), 427, 448, 324, 395, 294(b), 506(ii) r/w 149 IPC, has filed this petition to expedite the trial within the stipulated time fixed by this Court.

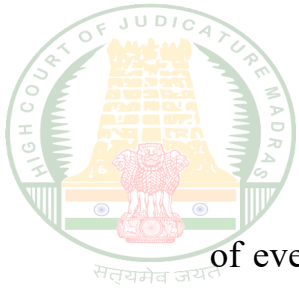
2.Learned counsel for the petitioner submitted that the petitioner is a life convict and now confined in Sub Jail, Yanam. The petitioner was convicted in S.C.No.15 of 1999 and sentenced to undergo life imprisonment on 05.04.2000. Challenging the same, the petitioner preferred an appeal in Crl.A.No.379 of 2000 and this Court dismissed the appeal on 01.04.2003 confirming the conviction. From the date of conviction, the petitioner is in jail for the past 26 years. He further submitted that this case registered in Crime No.101 of 2017 on 22.06.2017, thereafter, the petitioner arrayed as A11 as though he



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instigated the other accused when the petitioner was in jail. In this case,

the defacto complainant filed a direction petition before this Court in Crl.O.P.No.2565 of 2024 seeking direction to the trial Court to examine the defacto complainant/LW1 and her sister/LW2 through video conference since they are residing in France. This Court by order dated 28.02.2024 directed the trial Court to make arrangements for examination of the defacto complainant/LW1 and her sister/LW2 through video conference who are now in France, within a period of four weeks, and thereafter complete the trial proceedings in S.C.No.21 of 2019, within a period of four months. Since the trial was not completed, the petitioner filed Crl.O.P.No.18033 of 2024 seeking a direction to expedite the trial in S.C.No.21 of 2019. This Court on 07.02.2025 disposed of the petition directing the trial to be completed within a period of six months. In the meanwhile, the defacto complainant filed a petition before the trial Court in Crl.M.P.No.14 of 2025 seeking reinvestigation into the power of attorney in document No.343 of 2005 dated 07.01.2005. This petition dismissed by the trial Court on 16.04.2025. Challenging the same, the defacto complainant filed revision before this Court in Crl.R.C.No.855 of 2025. This Court by order dated 21.07.2025 narrated the entire sequence

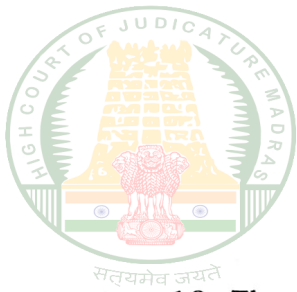


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of events, set aside the order of the trial Court in Crl.M.P.No.14 of 2025

and directed further investigation in Crime No.101 of 2017 with regard to the document No.343 of 2005 and to complete the same within a period of six weeks and to file a final report on or before 01.09.2025. Till then, the trial proceedings stayed. The Court further directed the Indian Embassy in France to assist the defacto complainant/LW1 and her sister/LW2 in giving evidence through video conference. Thereafter, the trial not progressed. Hence, he filed the present petition.

3.Learned Public Prosecutor, Puducherry for the respondent Police filed counter and its relevant portion is scanned as follows:



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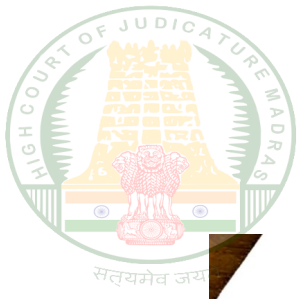
10. The Respondent-1 further submitted that, based on the direction of the Hon'ble High court, the Hon'ble III ADJ court issued summons to LW 1 & 2 with instruction to appear before the Hon'ble court to give evidence. In this regard necessary enquiry was made for the presence of LW 1 & 2 and it is learnt that they were residing at France. Therefore, necessary report was filed before the Hon'ble III ADJ Court, Puducherry. Hence, the Hon'ble court sent the report to the French consulate to produce the above said witness. In the meantime the Lw-1 & 2 send request to the Hon'ble court through email with requesting to given evidence through video conference. However, the Hon'ble court had sent the report with summons and statements through French Consulate, but the French consulate had requested to furnish the entire documents in French translations.

11. The Respondent-1 further submitted that, based on the request of the French consulate, the Hon'ble III ADJ court sent a request to the Director, School of Education, Puducherry to depute a French Teacher to translate the summons, statements and other related documents and also presence in the court for examination of the witnesses through video Conference.

12. The Respondent -1 submitted that, after repeated summons were sent to the LW-1 & 2 through email, but they did not responding to give proper reply before the Hon'ble court.

13. The Respondent -1 submitted that in the above circumstances the Lw-1 Regina Fathima Marie Saint Jacques had filed petition before the Hon'ble High court for conducting further investigation Vide Crl.R.C No.855/2025 and Crl.M.P No.11663/2025 dt. 21.07.2025 for seizure of original document No.343/2005 executed by the deceased father of the petitioner.


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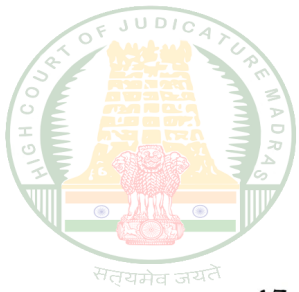
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14. The Respondent -1 submitted that, as per the direction of the Hon'ble High court, Madras Vide Crl. R.C No.855 of 2025, dt. 21.07.2025, on 14.08.2025 a letter was sent to the Sub Registrar, Registration Office, Vanur, Tamil Nadu with request to furnish the vital question raised by the petitioner with request to submit the details in the question-and-answer format. Then I served a summon to Thiru. J. Chandramohan, present Assistant i/c of Sub Registrar, Vanur, Tamil Nadu and also served the summons to previous Sub Registrars namely K. Selvaraj with instruction to present at Sub Registrar Office, Vanur on 22.08.2025. Based on the summons on 22.08.2025 I went to Sub Registrar office, Vanur before this, the above said officials were present at the office. Then, I examined them and recorded their statements under question and answer format in which they answered 17 numbers of vital questions and obtained their signatures. Then, I recorded their 161 CrPC statements on the same day.

15. The Respondent -1 submitted that, I served a summon to Thiru. A. Venkatesan, Assistant, i/c of Sub Registrar (presently under suspension) with instruction to appear before me at Odiansalai PS on 23.08.2025. As per the summon on 23.08.2025 Thiru. A. Venkatesan was appeared before me at Odiansalai PS, I examined him and recorded his statement. In which he says that as per the request of the previous IO of Odiansalai PS dt. 27.06.2017, he furnished the reply Vide No. 231/2017, dt. 30.06.2017 with documents Vide No. 343/2005, 3746/2005, 648/2006, 649/2006, EC & finger prints of the above documents. During the time of trial period on 10.08.2023 he gave evidence before this Hon'ble court as PW-11 and disclosed about to furnishing the above documents the same was marked in the Hon'ble court. Again as per the summon, he appeared before this Hon'ble court on 08.02.2024 and again he gave evidence in which he stated that he submitted the document No.343/2005, dt. 07.10.2005 and the same was entered in Book No.1 instead of document No.343/2005, dt. 07.10.2005 and the same was entered in Book No.4. At the time he submitted the relevant document in this case before this Hon'ble court Vide document No.343/2005, dt. 07.10.2005 registered in Book No.4.

16. The Respondent -1 submitted that, based on the General Power of Attorney deed, Document No. 343/2005 dated 07.10.2005, the accused, Hugo Dexine, sold the property of 4,863 Sq.feet brick building house with vacant portion located at Block No.29, Ward No. D, No.11, Lanourbounnais Street, Puducherry to the third accused, Karpagam, on 28.02.2006, which was registered at the Sub-Registrar Office, Puducherry. Subsequently, Karpagam granted power of attorney to the ninth accused, Ali Jinaah @ Samsudeen, S/o Abdulla Kudhubudeen, through a power deed on 29.07.2013. Later, Karpagam cancelled the power of attorney granted to Ali Jinaah @ Samsudeen and re-allotted power to the tenth accused, Thiagarajan, S/o Gurumoorthy, on 23.07.2015. Subsequently, on 07.07.2017, the third accused, Karpagam, re-registered the property in favour of the de facto complainant (the daughter of the deceased), namely Regina Fathima Marie Jacques, vide registered document No. 9440/2017 at the Sub-Registrar Office, Puducherry.


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17. The Respondent -1 submitted that, in order to ascertain the General Power Deed document No.343/2005, the accused A3 Karpagam was died, A9. Ali Jinaah @ Samsudeen, S/o Abdulla Kudhubudeen and A10 Thiagarajan, S/o Gurumoorthy are absconding. Also the complainant (LW-1) is not available in India and she settled in France. Now the accused (A1) Hugo Daxin only available in Puducherry and hence, on 28.08.2025 I summoned the accused, A1 Hugo Daxin with instruction to appear before me at Odiansalai Police Station. As per the summon she appeared before me and I interrogated her about the General Power of Attorney document No. 343/2005, dated 07.10.2005 and her interrogation statement was recorded in which she stated that the General Power of deed document No. 343/2005 on 07.10.2005 was registered in favour of her at Vanur Sub Registrar office, Tamil Nadu. Then she sold the scheduled properties mentioned in the above power deed on various dates including Labourdonnaire Street, Puducherry house. Also she stated that she did not have the original General Power deed document No. 343/2005, and its whereabouts is not known.

18. The Respondent -1 submitted that, on perusal of the documents found in the case file on 07.10.2005 the deceased Antoine Saint Jacques had Purchased a land from one Holy Redeemer's Finance Corporation and the same was registered at Vanur Sub Registrar office Vide Document No.3746/2005, dt. 07.10.2005. On the same day the alleged General Power deed Vide No.343/2005, dt.07.10.2005 was registered at Vanur Sub Registrar office. During the time of investigation / trial period both the documents were filed before this Hon'ble court through Sub Registrar. Further, as per the allegation raised by the petitioner / de-facto complainant, she stated that the document Vide No.343/2005 is fabricated one. In this regard necessary report was filed before the trial court in order to ascertain the original document No.343/2005. Hence, I prayed the Hon'ble court to forward the Documents Vide No. 3746/2005 and No.343/2005 to Forensic Science Laboratory, Kirumampakkam for analysing the signatures found in the above documents in order to find out the fabrication or cheating.

19. The Respondent -1 submitted that, upon the request the Hon'ble III ADSJ court issued proceeding Vide No. 15/III ADJ/JUD/PDY/2026, dt. 28.01.2026 with instruction to send the original Part-I book and Part-IV book to the Forensic Science Laboratory, Kirumampakkam, Puducherry for signature comparison. In this regard the above said original registers were handed over to Forensic Science Laboratory, Kirumampakkam, Puducherry through special messengers, still the report is pending with FSL, Kirumampakkam, Puducherry.


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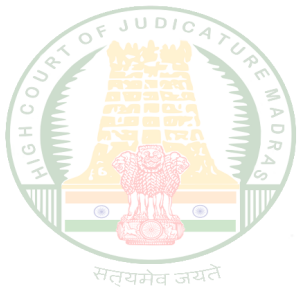
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20. The respondent-1 submitted that, the petitioner / accused is confined in Judicial custody for the past 26 years, due to the pendency of this case is purely false and baseless, **since the petitioner / accused is confined in the prison in the above period for life imprisonment in the SC No.15/1999 on 05.04.2000. Also he committed the offence from judicial custody and instigating the other accused persons for involving this case in Cr.No.101/2017 U/s. 420, 120 (B), 427, 448, 324, 395, 294(b), 506(ii) IPC r/w 149 IPC.**

21. The respondent -1 also submitted that the petitioner / accused is a very dangerous criminal and he involved in the following criminal cases in and around the Puducherry.

- I. Cr.No.338/2007 U/s.143, 307 IPC & 3 of Explosive substance Act r/w 149 IPC, dt. 01.12.2007 of Odiansalai PS, The case ended in acquitted before the Hon'ble III ADSJ court, Puducherry Vide SC No.57/2014.
- II. Cr.No.339/2007 U/s.143, 307 IPC & 3 of Explosive substance Act r/w 149 IPC, dt. 01.12.2007 of Odiansalai PS,, The case ended in acquitted.
- III. Cr.No.150/2008 U/s.143, 307 IPC & 3 of Explosive substance Act r/w 149 IPC of Odiansalai PS, The case ended in acquittal on 19.03.2015 Vide SC No.47/2013
- IV. Cr.No.140/2009 U/s. 147, 148, 364, 302, 201 IPC r/w 149 IPC of Reddiarpalayam PS, The case ended in acquitted on 21.06.2019 by the Hon'ble PDSJ court, Puducherry Vide SC No.28/2016
- V. Cr. No.172/2010 U/s. 147,148, 302 IPC & 27 of Arms Act r/w 149 IPC of Odiansalai PS, The case ended in acquittal on 30.11.2015 Vide SC No.48/2013
- VI. Cr.No.289/2010 U/s. 147,148,302 r/w 149 & 109 IPC of Mudaliarpet PS, The case ended in Acquittal on 21.07.2017 by the Hon'ble ADSJ Court, Puducherry
- VII. Cr.No.234/2011 U/s. 147, 148, 302, 307, 452, 109 r/w 149 IPC of Mudaliarpet PS, The case ended in Acquittal.
- VIII. Cr.No.362/2011 U/s 147, 452, 427, 324, 387, 109 r/w 149 IPC of Odiansalai PS, The case ended in Acquittal on 16.02.2018 by the Hon'ble ADSJ Court, Puducherry vide SC No: 03/13.
- IX. Cr.No:73/12 U/s 188 IPC r/w 34 IPC & 42 of Prisoner Act & 438(28) Puducherry Prisoner Rule 1969 of Yanam PS, The case ended in Acquittal.
- X. Cr.No:91/2012 U/s 147, 148, 341, 332, 333, 302, 307, 109 IPC & 3 of Explosive Substances Act 1908 r/w 149 IPC & Sec 3 of Prevention of Damage to Public Properties Act 1984 of Thavalakuppam PS, The case ended in Acquittal.
- XI. Cr.No: 248/2012 U/s 143, 506(II) r/w 149 IPC of Grand Bazaar PS, The case ended in Acquittal.
- XII. Cr. No: 103/13 U/s. 42 of Prisoner Act of Kalapet PS, The case ended in Acquittal on 09.12.2016 vide STC No: 208/2016
- XIII. Cr.No: 199/2015 U/s 143, 342, 387 r/w 149 IPC & 109 IPC of Odiansalai PS, The case was quashed by Hon'ble High Court of Madras vide CrI.OP No.30305/2015, dt.24.02.2016.


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- XIV. Cr.No. 175/2016 u/s 386, 507, 109 r/w 149 IPC of Lawspet PS, The case was quashed by Hon'ble High Court of Madras vide CrI.OP No:30305/2015, dt:24.02.2016.
- XV. Cr.No: 193/2016 U/s 143, 387IPC & 109, 120(b) r/w 149 IPC of Odiansalai PS, The case was acquitted on 06.01.2020.
- XVI. Cr.No: 36/2017 U/s 387, 109 IPC r/w 34 IPC of Odiansalai PS, The case was acquitted on 20.09.2018
- XVII. Cr.No: 101/2017 U/s 420, 120(b), 427, 448, 395, 294(b), 324, 506(II) IPC r/w 149 IPC of Odiansalai PS, The case is Pending trial before the Hon'ble III ADSJ Court, Puducherry.
- XVIII. Cr.No.102/17 U/s. 120(B) IPC r/w 34 IPC of Kalapet PS, The case was action dropped
- XIX. 107/19 U/s. 120-B, 109, 147, 148, 341, 302 (2 counts) IPC and 3,4 of Explosive Substances Act 1908 r/w 301 @ 149 IPC of Mudaliarpet PS, The case ended in acquitted Vide SC No.43/2021.
- XX. 120/2019 U/s. 507, 387 IPC r/w 34 IPC, dt. 11.10.19 of Reddiarpalayam PS, **The case is PT Vide CC No.92/2024**
- XXI. Cr.No. 99/2020 U/s. 42 of Prisoner Act of Kalapet PS, **The case is PT.**
- XXII. Cr.No.162/2020 U/s 42 of Prison Act 1894 of Kalapet PS, As per the Hon'ble High court, Madras Vide CrIOP No.166759/2022 the case was quashed.
- XXIII. Cr.No.876/2020 U/s. 147, 341, 109, 302 IPC and 03 of Explosive Sub. Act of Kottakuppam PS., The case ended in conviction Vide Spl. SC No.31/2021.
- XXIV. Cr.No.185/21 U/s. 147, 341, 302 r/w 149 IPC & 3 of Explosive Substances Act 1908 of Mudaliarpet PS, The case ended in acquitted before the Hon'ble III ADJ Court, Puducherry Vide SC No.58/2022.
- XXV. Cr.No.126/24 U/s. 308(4), 3(5) BNS Dt 19.07.2024 of Reddiarpalayam PS, **The case is PT**
- XXVI. Cr.No.25/25 U/s. 42 of Prison Act 1894 of Kalapet PS. **The case is PT**

21. The respondent-1 submitted that, in the instance case already 39 witnesses have been examined and the case is almost at the fag end of the trial, only LW-1, Lw-2 and the IO are to be examined to finalizing the case. In the above circumstance, the Police did not interfere the trial process, but the defacto complainant and accused persons are filed petition before the Hon'ble High court are disturbing the trial court to finalize the case.

On this 15th day of April -2026.


SHO/Inspector of Police
Odiansalai Police Station
Puducherry



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4.He further submitted that in this case, the petitioner is a life

convict and he is also an under trial prisoner facing trial in several cases.

The history of the petitioner would show his involvement in criminal cases from the year 2007 onwards. Added to this, the petitioner committed offences while in prison, hence, cases initiated under the Prisoners Act. The petitioner has history of notoriety. It is further submitted already documents sent to the Forensic Expert and availing report. In the meanwhile, as per the order of this Court in Crl.R.C.No.855 of 2025, steps taken through the Indian Embassy at France to make arrangements to examine the defacto complainant/LW1 & her sister/LW2 through video conference since they are unable to travel to Puducherry due to their old age and fear for their life. The steps taken for video conference and Forensic Report are in progress and there is no delay on the part of the respondent Police. As soon as the Forensic Report is received and the video conference facility is arranged, the trial can be completed, without any further delay. Hence, he prayed for dismissal.



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5.Considering the submissions and on perusal of the materials as

well as narration of above facts, it is seen that the petitioner has several cases to his credit and, is also a life convict. The petitioner's plea is that due to pendency of the case in S.C.No.21 of 2019, his premature release not considered. This might not be a valid ground since the petitioner, apart from this case, has several cases, some of which are pending trial. To be noted that the petitioner does not automatically get qualified on undergoing period of sentence alone for premature release. The petitioner's contention that pendency of the above case alone is obstructing his premature release, is contrary to his antecedents and conduct.

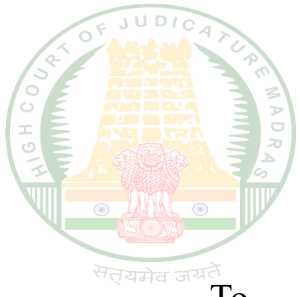
6.In the result, this Court does not find any merit consideration in the submissions of the learned counsel for the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

15.04.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
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To
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- 1.The III Additional District Judge,
Puducherry.
- 2.The Inspector of Police,
Odiansalai Police Station,
Puducherry,
- 3.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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