



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Thirty First day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15328 of 2021

MAHALINGAM

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY  
THE SUB INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
SALEM DISTRICT  
(CRIME NO.2/2021)

[ RESPONDENT ]

For Petitioner : M/S.R.SATHISH KUMAR Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120(B), 468, 471, 420 and 506(i) IPC in Cr.No.2 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the original land holder of agricultural land admeasuring to an extent of 2.29 acres of Semmandapatti Villag,e Kadaiyampatti Taluk, Salem District. Suddenly ten unknown persons trespass into her land and conveyed that they got Sale Deed on her agricultural land and insisted her to evict the land and threatened to kill her with dire consequences. When the defacto complainant verified the status about her land in online, she came to know that illegally a Sale Deed was executed in favour of one Govindaraj and nine others without her knowledge. Hence the defacto complainant made a complaint against the Document Writer and Sub Registrar, Omalur for creating a fabricated document.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the



prosecution and he has been falsely implicated in this case. Further the learned counsel submitted that the petitioner after verifying the entire document produced before him, registered the property in the name of Govindaraj and he did not know the malafide intention behind the scene and has no intention to support any of the accused persons and prays for grant of anticipatory bail.

4. The learned Government Advocate submitted that the investigation is pending in this case and there are no previous cases pending against the petitioner. This is the second bail application of the petitioner. If the petitioner is released on bail, he may tamper the evidences. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is of the view that it appears that the petitioner herein is a document writer and drafted the documents favouring one Govindaraj. In view of the fact that the investigation is still pending and there is no change of circumstances, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

31/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned  
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE SUB INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
SALEM DISTRICT

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.R.SATHISH KUMAR Advocate on payment of necessary charges

CRL OP.15328/2021

Date :31/08/2021

APN 14/09/2021