

Crl.O.P.No.28783 of 2014**P.N.PRAKASH, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 403,406,420,465,468,471 and 506(ii) IPC in Crime No.25 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.Learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offences.

3.Heard the learned Government Advocate (Crl. Side).

4.The case of the defacto complainant is that the property, which is in question, belonged to the petitioner/A1, who had appointed A2 as Power of Attorney. On the strength of the Power of Attorney, A2 seems to have entered into a sale agreement on 20.04.2012 with the defacto complainant. After ending the sale agreement, A2 along with his employer have executed various sale deeds in the name of third parties. Thereafter, the complainant has sent lawyer's notice on 17.08.2012. In this context, the present complaint has been registered against the petitioner/A1. It is the case of the defacto complainant that the land belonged to the petitioner herein/A1. The defacto complainant entered into the sale agreement with A2. If there is a breach of agreement, it is only responsible for A2. In this circumstances, I am inclined to grant Anticipatory Bail to the petitioner/A1.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for Anti Land Grabbing Cases, Salem on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten

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thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

07.11.2014

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